

RESOLUTION OF THE CITY COUNCIL

No. 161

Approved April 17, 2006

IT IS HEREBY RESOLVED, That His Honor, the Mayor, is authorized to grant five non-exclusive sub-surface easements for Hope St., Cushing St., Thayer St. and Meeting St. in the City of Providence to Brown University ("Brown"). Said easements shall be granted specifically upon the following provisions:

1. Said easements shall not exceed six thousand seven hundred and ninety (6,709) square feet, plus or minus, and indicated on accompanying map marked "Providence, R.I. Department of Public Works – Engineering Office, Street Line Section Plan No. 064788 dated January 19, 2006" (Exhibit A). Said easements shall be utilized only for the installation, maintenance, repair and/or replacement of utilities, including without limiting the generality of the foregoing, electric, telephone, cable television, data transmission, fiber optic gas, high temperature hot water, chilled water, and fuel oil piping, and similar utility lines for:

a. Hope Street:

Said easement shall not exceed the shaded area bounded by a line with points (A-B-C-D-E-F-G-H-A) as shown on Exhibit A. Said easement is approximately eight hundred and ten (810) square feet total area.

Said easement shall not exceed the shaded area bounded by a line with points (I-J-K-L-M-N-O-P-I) as shown on Exhibit A. Said easement is approximately one thousand two hundred and twenty (1,220) square feet total area.

b. Cushing and Thayer Street:

Said easement shall not exceed the shaded area bounded by a line with points (A-B-C-D-E-F-G-H-I-J-K-L-M-N-O-P-Q-R-S-T-A) as shown on Exhibit A. Said easement is approximately three thousand six hundred and sixty five (3,665) square feet total area.

c. Meeting Street:

Said easement shall not exceed the shaded area bounded by a line with points (A-B-C-D-A) as shown on Exhibit A. Said easement is approximately one hundred and thirty (130) square feet total area.

IN CITY COUNCIL
NOV 17 2005
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

David Butler
Clerk

From the Clerk's Desk

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution

Ann M. Stein
Clerk

3-13-06

Said easement shall not exceed the shaded area bounded by a line with points (E-F-G-H-I-J-K-L-M-N-O-P-Q-R-S-E) as shown on Exhibit A. Said easement is approximately eight hundred and eighty four (884) square feet total area.

2. The above referenced areas, as shown on Exhibit A, are hereinafter collectively referred to as the "Premises". Said easements shall be deemed to run with the land and shall be binding on and for the benefit of any successors in title and the easements or a memorandum of same shall be recorded in the Office of Land Records for the City of Providence.

3. Said easements shall be subject to a right of reverter/right of reversion in the event that the easements are no longer utilized for a period of ten (10) years for the aforementioned purposes.

4. As consideration for these Easements, Brown shall tender the sum of one hundred twelve thousand, four hundred seven dollars (\$112,407.00) in legal tender of the United States of America.

5. Any breakout necessary for installation and/or repair or replacement shall be resurfaced/rehabilitated in accordance with relevant ordinances and industry standards and to the reasonable satisfaction of the Director of the Department of Public Works.

6. The installation of utilities or utility lines shall be underground so as to preserve the public right-of-way. Brown and its successors and assigns may enter upon said Premises, to dig or excavate the soil in said Premises, to clear the Premises of vegetation and any natural manmade structures for both access and safety purposes and to do any other acts which are necessary to carry out the purposes for which said Easements are given and to provide for the effective use thereof.

7. Any installation of electrical mechanisms shall be subject to the approval of the Director of the Department of Inspections & Standards.

8. Petitioner shall ascertain that construction results in no adverse impact on any existing utility company and shall ensure the continued integrity of those existing structures.

9. Brown shall execute an indemnification and hold-harmless agreement with the City of Providence. Said agreement shall be approved by the Department of Law of the City of Providence.

10. Brown shall supply the City of Providence with an insurance policy naming said City of Providence, its agents, officers, servants and employees as additional-named insureds in a sum not less than one hundred thousand dollars (\$100,000.00) which policy shall be approved by the Department of Law of the City of Providence.

11. Brown shall not lay, construct or affix to the realty any temporary or permanent structure other than that described earlier herein.

12. Brown recognizes the applicability of Sections 23-107, 23-108 and 23-190 of the Code of Ordinances which read as follows:

23-107. Indemnity of city against claims arising out of electrical installations. No right of any person to maintain, use or operate any poles, wires, cables, conduits, ducts, pipes, manholes, handholes, or other appliances or appurtenances in any street or other traveled way in the city, shall be in preference or hindrance of public work in the city, and should any of the same in any way interfere with the construction, alteration or repair of any public work in any such street or way, whether done by the city directly or by any contractor for the city, such person shall at his own expense protect, alter or move any of the same so interfering to some other location in such street or way, or discontinue the use and operation thereof for the time being, as directed by the director of public works, without the city being liable for any damages suffered by such person thereby. The City shall notify such person a reasonable time in advance of any public work, which will interfere with any of the same or the use or operation thereof. In case such person shall fail to comply with any such direction of said director, the city may protect, alter or move the same, and recover the cost thereof from such person.

23-108. Precedence of wires, apparatus of city signal service. The wires, poles, posts, structures and supports of the telephone, fire alarm and police signal service maintained by the city shall at all times take precedence and right-of-way as to all other wires, poles, posts, structures and supports maintained or erected in the city; and no lineman or other person, either in erecting wires, poles, posts, structures or supports in any way whatsoever shall interfere with, or disturb, disarrange or change any wires maintained by the city, or any appurtenance thereof; and in every instance of removal of any of said wires, poles, posts, structures or supports for the accommodation of any other corporation or party, or to place the same beyond danger from the electric current of any other corporation or party, the expense incident to said removal shall be paid immediately by such other corporation or party.

23-109. Indemnity of city against claims arising out of electrical installation.

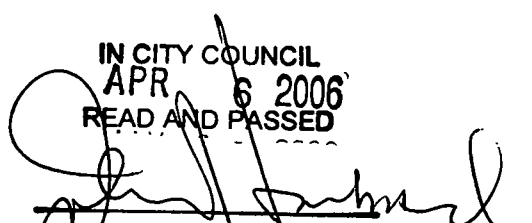
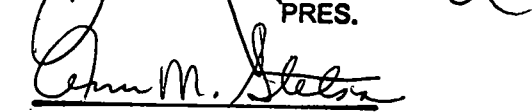
Every person erecting, maintaining or using electric wires or poles, fixture or structures, for the support or conducting of the same shall indemnify and save harmless the city, its officers, agents and servants, from and against all lawful claims and demands for injuries to persons or property occasioned by the existence of such poles, wires, fixtures or structures or the transmission of electric current by means thereof or by the digging up, opening or keeping open of any street, highway, traveled way, public place or part thereof, which shall be or has been opened for the purpose of installing, constructing or repairing any underground conduit, duct, structure, appliance or appurtenance by or for such person, or by any failure of such person to restore and keep in sound and safe condition for the required time any ground opened or dug up in the prosecution of any of its work in any street, way or place. The city, city council, or the officers, agents or servants of the city, exercising the rights, powers or permission, and subject to the restrictions, respectively given and reserved herein shall not be held liable by such person or corporation on account thereof, or by reason of any injury or damage caused thereby.


and Brown, for itself and its successors, agrees to comply with the same.

13. In addition to Paragraph 12 above, in the event that the City of Providence or its designee shall, for any public purpose, require the extinguishment of the easements granted herein and upon the reasonable notification hereinbefore mentioned, Brown shall remove said improvements to the easement areas, provided, however, that because Brown has paid consideration for said Easements, Brown shall be entitled to just compensation for any such taking for public purposes.

14. The easements shall be executed, delivered and accepted upon the express terms, covenants and conditions contained herein, which terms, covenants and conditions shall be binding upon and insure to the benefit of the parties hereto and their successors, heirs, legal representatives, and assigns. The easements are intended to be governed by and construed in accordance with the laws of the State of Rhode Island. The easements may not be amended or modified except pursuant to a written instrument signed by all parties thereto.

15. Such other terms and conditions as may be reflected in the record and minutes of the City Council Committee on Public Works and/or as may be deemed appropriate by the Mayor or the Department of Law.

IN CITY COUNCIL
APR 6 2006
READ AND PASSED

PRES.

CLERK

APPROVED
 9/12/04
MAYOR

City of Providence
State of Rhode Island and Providence Plantations

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

Due to the proposed construction of new High Temperature Hot Water and Chilled Water utilities located on Hope Street, Cushing Street, Thayer Street, and Meeting Street, Brown University's Department of Facilities Management respectfully requests that easements be established for University use as further described below and indicated on the attached drawings "*Brown University, HTHW Utility Systems Upgrade, Proposed Utility Easements*" Sheets EA-1 through EA-3, attached :

Easement Number 1:

Location: Hope Street, northwest-southeast orientation, starts approximately 19.3 feet southeast of the property line between plat 13 lot 111 and plat 13 lot 92.
Size: Approximately 600 square feet total area

Easement Number 2:

Location: Hope Street, northwest-southeast orientation, starts approximately 191.5 feet southeast of the property line between plat 13 lot 111 and the City of Providence's Right-of-way for Bowen Street.
Size: Approximately 191.5 square feet total area.

Easement Number 3:

Location: Hope Street, northwest-southeast orientation, starts approximately 5.4 feet southeast of the property line between plat 13 lot 119 and the City of Providence's Right-of-way for Bowen Street.
Size: Approximately 656.5 square feet total area

Easement Number 4:

Location: Hope Street, northwest-southeast orientation, starts approximately 28.6 feet southeast of the property line between plat 13 lot 119 and the City of Providence's Right-of-way for Bowen Street.
Size: Approximately 1075.0 square feet total area

Easement Number 5:

Location: Hope Street, north-south orientation, starts approximately 11.3 feet north of the property line between plat 13 lot 17 and the City of Providence's Right-of-way for Cushing Street.
Size: Approximately 109.5 square feet total area

FILED

2005 NOV - 3 P 1: 28

DEPT. OF CITY CLERK
PROVIDENCE, R.I.

IN CITY COUNCIL
NOV. 17, 2005

FIRST READING

REFERRED TO COMMITTEE ON

PUBLIC WORKS + City Property

CLERK

Claire Bell
First Deputy

From the Clerk's desk

Easement Number 6:

Location: Cushing Street, east-west orientation, starts approximately 38.3 feet east of the property line between plat 13 lot 17 and the City of Providence's Right-of-way for Hope Street.

Size: Approximately 262.5 square feet total area

Easement Number 7:

Location: Cushing Street, northeast-southwest orientation, starts approximately 15.5 feet west of the property line between plat 13 lot 17 and the City of Providence's Right-of-way for Hope Street.

Size: Approximately 27.5 square feet total area

Easement Number 8:

Location: Cushing Street, east-west orientation, starts approximately 19.05 feet west of the property line between plat 13 lot 17 and the City of Providence's Right-of-way for Hope Street.

Size: Approximately 36.5 square feet total area

Easement Number 9:

Location: Cushing Street, east-west orientation, starts approximately 25.2 feet west of the property line between plat 13 lot 17 and the City of Providence's Right-of-way for Hope Street.

Size: Approximately 144 square feet total area.

Easement Number 10:

Location: Cushing Street, east-west orientation, starts approximately 80.4 feet east of the property line between plat 13 lot 17 and plat 13 lot 18.

Size: Approximately 36.5 square feet total area

Easement Number 11:

Location: Cushing Street, southeast-northwest orientation, starts approximately 74.2 feet east of the property line between plat 13 lot 17 and plat 13 lot 18.

Size: Approximately 27.5 square feet total area

Easement Number 12:

Location: Cushing Street, east-west orientation, starts approximately 96.0 feet east of the property line between plat 13 lot 40 and the City of Providence's Right-of-way for Brook Street.

Size: Approximately 344 square feet total area

Easement Number 13:

Location: Cushing Street, east-west orientation, starts approximately 13.7 feet east of the property line between plat 13 lot 18 and plat 13 lot 19.

Size: Approximately 2307.5 square feet total area

Easement Number 14:

Location: Cushing Street, east-west orientation, starts approximately 55.2 feet west of the property line between plat 13 lot 292 and the City of Providence's Right-of-way for Brook Street.

Size: Approximately 94.5 square feet total area

Easement Number 15:

Location: Cushing Street, east-west orientation, starts approximately 21.6 feet east of the property line between plat 13 lot 292 and plat 13 lot 25.

Size: Approximately 105.6 square feet total area

Easement Number 16:

Location: Thayer Street, northeast-southwest orientation, starts approximately 24 feet east of the property line between plat 13 lot 25 and the City of Providence's Right-of-Way for Thayer Street.

Size: Approximately 391.5 square feet total area.

Easement Number 17:

Location: Meeting Street, east-west orientation starts approximately 102.8 feet west of the property line between plat 10 lot 296 and plat 10 lot 704.

Size: Approximately 91.7 square feet total area

Easement Number 18:

Location: Meeting Street, east-west orientation starts approximately 166.4 feet east of the property line between plat 10 lot 353 and plat 10 lot 649.

Size: Approximately 119.5 square feet total area

Easement Number 19:

Location: Meeting Street, east-west orientation ends approximately 6.0 feet east of the property line between plat 10 lot 353 and plat 10 lot 649.

Size: Approximately 526.5 square feet total area

Easement Number 20:

Location: Meeting Street, east-west orientation starts approximately 34.9 feet east of the property line between plat 10 lot 353 and plat 10 lot 649.

Size: Approximately 119.6 square feet total area

Easement Number 21:

Location: Meeting Street, north-south orientation starts approximately 14.9 feet west of the property line between plat 10 lot 353 and plat 10 lot 649.

Size: Approximately 128.4 square feet total area

The total area of requested easements is 7395.8 square feet.

Any questions regarding this request may be directed to :

Courtney McCracken
Project Manager
Brown University
Department of Facilities Management
Box 1941
Providence, RI 02912
(401) 863-7802

Attached drawings:

EA-1 through EA-5 Proposed Utility Easements, dated 10/11/05

City of Providence
State of Rhode Island and Providence Plantations

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

Due to the proposed construction of new High Temperature Hot Water and Chilled Water utilities located on Hope Street, Cushing Street, Thayer Street, and Meeting Street, Brown University's Department of Facilities Management respectfully requests that easements be established for University use as further described below and indicated on the attached drawing "*Proposed Utility Easements for Brown University Utility Upgrade Project*":

Hope Street:

Easement: Shaded area bounded by a line with points (A-B-C-D-E-F-G-H-A) as shown on attached plan and described below.

Size: Approximately 810 square feet total area

Description: Beginning at point A (Northing = 272537.5746 Easting = 355504.1037), traveling 120.1' at S32°33'04"E to point B; from point B, traveling 35.8' at S26°56'56"E to point C; from point C, traveling 1.2' at N62°45'02"E to point D; from point D, traveling 5.0' at S27°06'41"E to point E; from point E, traveling 6.2' at S62°47'26"W to point F; from point F, traveling 40.5' at N26°58'07"W to point G; from point G, traveling 119.9' at N32°32'43"W to point H; from point H, traveling 5.0' at N57°26'56"E to point A, the place of beginning.

Easement: Shaded area bounded by a line with points (I-J-K-L-M-N-O-P-I) as shown on attached plan and described below.

Size: Approximately 1,220 square feet total area

Description: Beginning at point I (Northing = 272388.9626 Easting = 355594.2240), traveling 5.0' at S27°06'41"E to point J; from point J, traveling 1.7' at S62°45'39"W to point K; from point K, traveling 207.7' at S26°58'02"E to point L; from point L, traveling 30.2' at S05°45'38"E to point M; from point M, traveling 5.0' at S84°24'07"W to point N; from point N, traveling 29.3' at N05°47'01"W to point O; from point O, traveling 211.7' at N26°58'07"W to point P; from point P, traveling 6.7' at N62°45'39"E to point I, the place of beginning.

Cushing and Thayer Street:

Easement: Shaded area bounded by a line with points (A-B-C-D-E-F-G-H-I-J-K-L-M-N-O-P-Q-R-S-T-A) as shown on attached plan and described below.

Size: Approximately 3,665 square feet total area

Description: Beginning at point A (Northing = 272100.4072 Easting = 355068.0347), traveling 37.9' at N83°42'02"E to point B; from point B, traveling 38.1' at N66°59'45"E to point C; from point C, traveling 19.1' at N84°23'54"E to point D; from point D, traveling 5.5' at N05°41'51"W to point E; from point E, traveling 19.2' at N84°27'14"E to point F; from point F, traveling 5.5' at S05°45'43"E to point G; from point G, traveling 136.6' at N84°24'11"E to point H; from point H, traveling 5.4' at N05°45'06"W to point I; from point I, traveling

17.2' at N84°27'14"E to point J; from point J, traveling 5.4' at S05°45'43"E to point K; from point K, traveling 356.5' at N84°24'10"E to point L; from point L, traveling 5.0' at S05°53'39"E to point M; from point M, traveling 155.1' at S84°24'07"W to point N; from point N, traveling 20.0' at S05°46'03"E to point O; from point O, traveling 17.2' at S84°14'17"W to point P; from point P, traveling 20.0' at N05°46'41"W to point Q; from point Q, traveling 375.5' at S84°24'10"W to point R; from point R, traveling 38.1' at S66°59'34"W to point S; from point S, traveling 38.7' at S83°42'04"W to point T; from point T, traveling 5.0' at N05°15'01"W to point A, the place of beginning.

Meeting Street:

Easement: Shaded area bounded by a line with points (A-B-C-D-A) as shown on attached plan and described below.

Size: Approximately 130 square feet total area

Description: Beginning at point A (Northing = 271735.3839 Easting = 354509.1107), traveling 3.3' at N84°32'46"E to point B; from point B, traveling 39.0' at S05°20'56"E to point C; from point C, traveling 3.3' at S85°52'39"W to point D; from point D, traveling 38.9' at N05°20'56"E to point A, the place of beginning.

Easement: Shaded area bounded by a line with points (E-F-G-H-I-J-K-L-M-N-O-P-Q-R-S-E) as shown on attached plan and described below.

Size: Approximately 884 square feet total area

Description: Beginning at point E (Northing = 271737.2647 Easting = 354533.2682), traveling 10.8' at N84°10'28"E to point F; from point F, traveling 6.5' at N05°19'43"W to point G; from point G, traveling 18.3' at N84°27'48"E to point H; from point H, traveling 6.4' at S05°48'15"E to point I; from point I, traveling 110.9' at N84°10'28"E to point J; from point J, traveling 5.9' at N05°19'32"W to point K; from point K, traveling 20.6' at N84°27'48"E to point L; from point L, traveling 5.7' at S05°19'32"E to point M; from point M, traveling 90.0' at N84°09'59"E to point N; from point N, traveling 3.4' at S05°51'44"E to point O; from point O, traveling 20.5' at S83°56'35"W to point P; from point P, traveling 11.5' at S84°10'34"W to point Q; from point Q, traveling 5.3' at N84°42'04"W to point R; from point R, traveling 213.5' at S84°10'28"W to point S; from point S, traveling 2.4' at N05°53'01"W to point E, the place of beginning.

The total area of all requested easements is 6,709 square feet. All descriptions herein refer to NAD 83, RI State Plane.

Any questions regarding this request may be directed to:

Courtney McCracken
Project Manager
Brown University
Department of Facilities Management
Box 1941
Providence, RI 02912
(401) 863-7802

Attached drawing:

Proposed Utility Easements for Brown University Utility Upgrade Project, dated 12/28/05

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: March 21, 2006

TO: Mr. Joseph Chiodo, City Controller

SUBJECT: CHECK TO BE DEPOSITED FOR EASEMENTS ON
HOPE STREET, CUSHING STREET, THAYER
STREET AND MEETING STREET FOR BROWN
UNIVERSITY

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

DISPOSITION: Accompanying is check number 869694 with Citizen's Bank in the amount of \$112,407.00 from Brown University., for payment for Brown University, HTHW Utility Systems Upgrade, Proposed Utility Easements on Hope Street, Cushing Street, Thayer Street and Meeting Street due to the proposed construction of new High Temperature Hot Water and Chilled Water utilities, to be deposited into the Sale of Real Estate Account (856-4-00000-2500).

cc: Thomas E. Deller, Director of Planning and Development
Joseph Fernandez, City Solicitor
Barbara Troncy, Recorder of Deeds
Bernard Lebby, Traffic Engineer
John Nickelson, Director of Public Works

A handwritten signature in cursive script, appearing to read "Anna M. Stetson".
City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

RECEIPT

Received of Brown University, Check No. 869694 from Citizens Bank in the amount of One Hundred Twelve Thousand Four Hundred Seven Dollars and 00/100 for payment for Brown University, HTHW Utility Systems Upgrade, Proposed Utility Easements on Hope Street, Cushing Street, Thayer Street and Meeting Street due to the proposed construction of new High Temperature Hot Water and Chilled Water utilities.

A handwritten signature in cursive script, reading "Anna M. Stetson", is written over a horizontal line.

Anna M. Stetson
City Clerk

Dated: March 21, 2006

BROWN UNIVERSITY — REMITTANCE ADVICE

FOR FURTHER INFORMATION ADDRESS CONTROLLER

BROWN UNIVERSITY, BOX J, PROVIDENCE, RI 02912

DATE	INVOICE NO.	P.O. NO.	VOUCHER	INVOICE AMOUNT	DISCOUNT	AMOUNT PAID	ENC
03/16/06			0894972	112,407.00	0.00	112,407.00	
TOTAL				112,407.00		112,407.00	

VENDOR NO. 75431300130

DATE 03/17/06

CHECK NO. 869694

PLEASE DETACH THIS STUB AND CASH OR DEPOSIT THIS CHECK AT ONCE

THE FACE OF THIS CHECK IS PRINTED BROWN AND BLUE — THE BACK CONTAINS A SIMULATED WATERMARK

62-115
311

MO.	DAY	YEAR
03	17	06



BROWN

PROVIDENCE, RI 02912

CHECK NUMBER

869694

PAY
EXACTLY ONE HUNDRED TWELVE THOUSAND FOUR HUNDRED SEVEN AND 00/100 DOLLARS****

DOLLARS	CENTS
112,407	00

PAY
TO THE
ORDER
OFCITY OF PROVIDENCE
CAMPUS RINOT VALID AFTER 90 DAYS
CHECKS OVER \$25,000.00
REQUIRE COUNTERSIGNATURE

CITIZENS BANK • EAST SIDE BRANCH • PROVIDENCE, RI

Elizabeth C. Hindekjer
AUTHORIZED SIGNATURE

⑈869694⑈ ⑆031101156⑆ 0099000334⑈



BROWN

DEPARTMENT OF FACILITIES MANAGEMENT
Brown University
Box 1941
Providence, Rhode Island 02912

November 3, 2005

Ms. Claire Bestwick
First Deputy City Clerk
25 Dorrance Street
Providence, RI 02903

**Re: Request for Easement
Utility Systems Renewal and Upgrade**

Dear Ms. Bestwick:

Due to the proposed construction of new High Temperature Hot Water, Chilled Water and Electric utilities located on Hope Street, Cushing Street, Thayer Street, and Meeting Street, Brown University's Department of Facilities Management respectfully requests that easements be established for University use as further described and indicated on the attached petition and drawings "*Brown University, Utility Systems Upgrade, Proposed Utility Easements,*" Sheets EA-1 through EA-3.

Any questions regarding this request may be directed to:

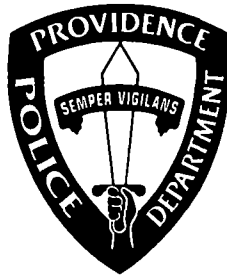
Courtney McCracken
Project Manager
Brown University
Department of Facilities Management
Box 1941
Providence, RI 02912
(401) 863-7802

Thank you for your consideration of this request.

Very truly yours,

Stephen M. Maiorisi, AIA
Acting Vice President for Facilities Management

cc: C. McCracken



Department of Public Safety, Police Department
"Building Pride in Providence"

December 8, 2005

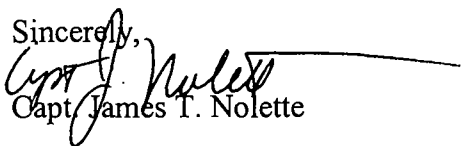
To: Anna Stetson, Second Deputy City Clerk

From: Capt. James Nolette, Providence Police Dept.

Dear Anna:

The Police Dept. has no objections to the proposed granting of easements as requested by Brown University. The utility easements on Hope, Cushing, Thayer and Meeting will not cause undue hardship on the movement of traffic both foot and vehicle.

Sincerely,


Capt. James T. Nolette

George S. Farrell
Fire Marshal

George D. Calise
Deputy Fire Marshal



David N. Cicilline
Mayor

David D. Costa
Chief of Department

Providence Fire Prevention Division
"Smoke Detectors Save Lives"

December 7, 2005

Ms. Anna M. Stetson, Second Deputy City Clerk
Providence City Hall, Department of City Clerk
25 Dorrance Street
Providence, Rhode Island 02903

Re: Brown University Proposed Easements for HTHW Utility Systems

Dear Ms. Stetson

The Providence Fire Department does not object to the creation of the proposed easements requested by Brown University for the easements requested on Hope Street, Cushing Street, Thayer Street and Meeting Street for the location of underground HTHW utilities.

There are no fire department or fire safety issues that this relocation plan would conflict with.

If you need any further information, please do not hesitate to call.

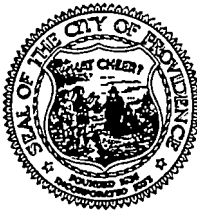
Sincerely,

A handwritten signature in black ink, appearing to read "Anthony DiGiulio".

Captain Anthony DiGiulio,
Assistant Deputy State Fire Marshal
Providence Fire Prevention

Cc: Marshal George S. Farrell

JOHN D. NICKELSON, PE
Director



DAVID N. CICILLINE
Mayor

Department of Public Works
"Building Pride in Providence"

January, 19, 2006

Honorable Terrence N. Hassett
Chairman of the Public Works Committee
Providence City Council-City Hall
Providence, R.I. 02903

RE: Proposed Easements for Hope St., Cushing St., Thayer St. and Meeting St. for Brown University Utility Upgrade Project.

Dear Councilman Hassett:

This department has no objection to the proposed easements of the Brown University Utility Upgrade Project in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept-Engineering Office, Street Line Section, Plan No. 064788. Areas and limits of the project are designated on the accompanying plan and defined on the petition to the City Council.

See accompanying plan for plat and lot numbers.

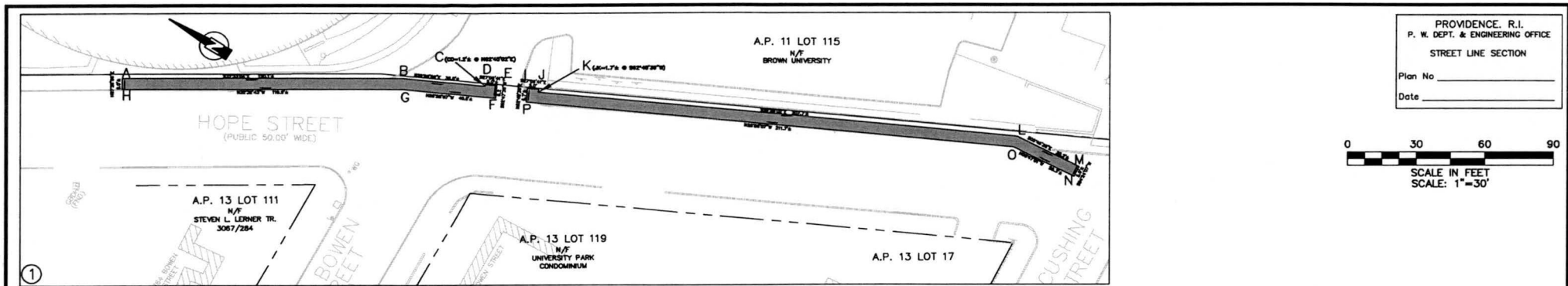
If we can further assist you in this regard, please advise.

Very truly yours,

A handwritten signature in cursive script, reading "John D. Nickelson".

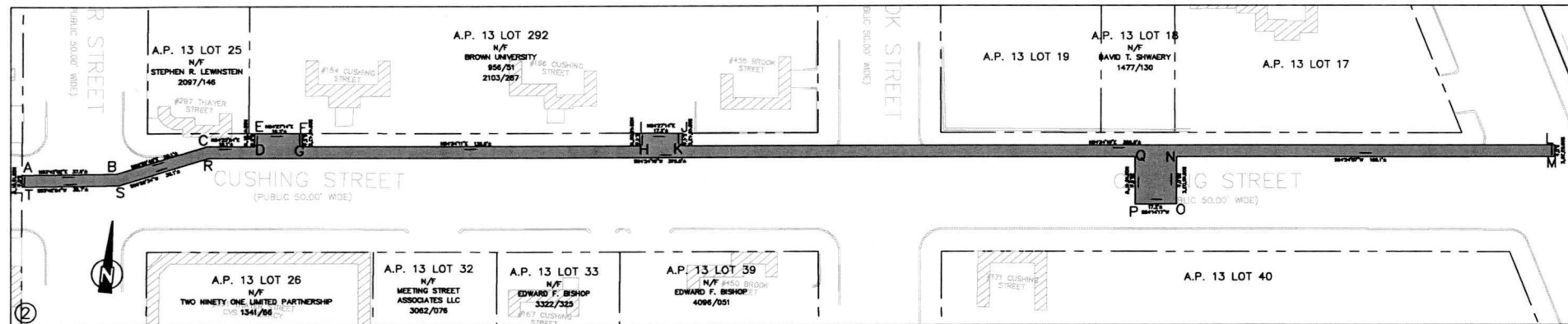
John D. Nickelson, PE
Director

cc: M. Clement-City Clerk
BB, FR, AZ-DPW
A. Southgate, Esq.- Law Dept.
T. Deller- Planning
J. Gelati- Tax Assessors

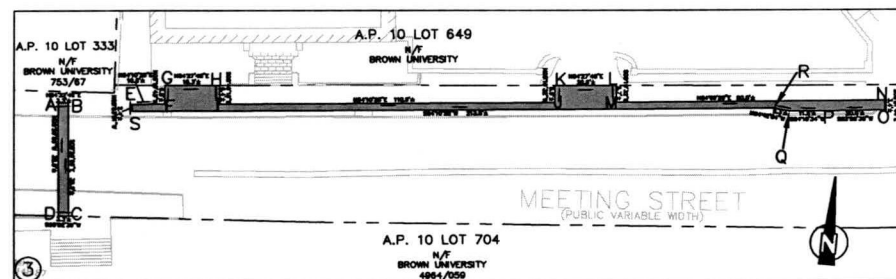


NOTE: Shaded area (A-B-C-D-E-F-G-H-A) indicates proposed utility easement.
Total square footage = 810± sf

Shaded area (I-J-K-L-M-N-O-P-I) indicates proposed utility easement.
Total square footage = 1,220± sf

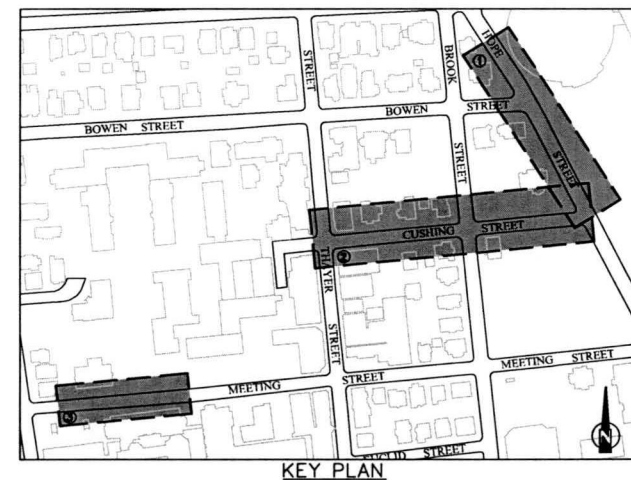


NOTE: Shaded area (A-B-C-D-E-F-G-H-I-J-K-L-M-N-O-P-Q-R-S-T-A) indicates proposed utility easement.
Total square footage = 3665± sf



NOTE: Shaded area (A-B-C-D-A) indicates proposed utility easement.
Total square footage = 130± sf

Shaded area (E-F-G-H-I-J-K-L-M-N-O-P-Q-R-S-E) indicates proposed utility easement.
Total square footage = 884± sf



CITY OF PROVIDENCE, R.I.
Public Works Dept. & Engineering Office

Showing PROPOSED UTILITY EASEMENTS FOR BROWN
UNIVERSITY UTILITY UPGRADE PROJECT

Drawn By JEA DEBARTIS Checked By _____
Scale 1"=30' Date 10-28-11
Correct _____ Associate Engr. _____
Approved _____ Chief Engineer



Department of Planning and Development

DAVID N. CICILLINE
Mayor

December 29, 2005

Honorable Terrence M. Hassett, Chair
Committee on Public Works
City Hall
Providence, RI 02903

Attn: Anna Stetson, Second Deputy City Clerk

RE: Petition from Courtney J. McCracken, Project Manager, Brown University Department of Facilities Management, requesting easements for "Brown University, HTHW Utility Systems Upgrade, Proposed Utility Easements" on Hope Street, Cushing Street, Thayer Street and Meeting Street due to the proposed construction of new high temperature hot water and chilled water utilities."

Dear Councilman Hassett:

This letter is a response to the Committee on Public Works' request for the Department of Planning and Development's recommendation for the above-referenced petition. The petitioner has stated that the utility easement is necessary to provide upgraded hot and chilled water utilities for Brown University facilities.

Staff of the Department of Planning and Development has reviewed the proposed site plans and has no objection to the proposed work. Staff recommends that the Committee on Public Works approve the utility easement.

Sincerely,

A handwritten signature in black ink, appearing to read "David Everett", with a long horizontal line extending to the right.

David Everett
Principal Planner



ANDOLFO APPRAISAL ASSOCIATES, INC.

REAL ESTATE APPRAISERS AND CONSULTANTS
THE BUSH BUILDING
216 WEYBOSSET STREET • PROVIDENCE • RHODE ISLAND 02903
(401) 273-8989 • FAX (401) 273-2510

February 7, 2006

Mr. John Gelati
Tax Assessor
City of Providence
City Hall
Providence, Rhode Island 02903

Re: Proposed Sidewalk and Street Easements
Hope Street, Providence
Easements 1 through 5

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on Hope Street, Providence, otherwise designated as Assessor's Plat 13, Lots 111, 92, 119, and 17. The purpose of this inspection was to estimate the fair market value of the proposed sidewalk and street taking for the purpose of granting permanent utility easements as requested by Brown University. In total, the proposed easements will contain 2,632.50 square feet and they will also be used for utility support systems as well. The subject area is located in the East Side neighborhood of the city where the zoning is R-3.

Specifically, the proposed easements runs along the sidewalk on Hope Street. The easements vary in width and depth according to a map supplied by SEA Consultants, Inc., and they are listed as follows:

Easement #1 - 5 feet wide x 120 feet long	=	600.00 square feet
Easement #2 - 5 feet wide x 38.3 feet long	=	191.50 square feet
Easement #3 - 20.2 feet wide x 32.5 feet long	=	656.50 square feet
Easement #4 - 5 feet wide x 215 feet long	=	1,075.00 square feet
Easement #5 - 5 feet wide x 21.9 feet long	=	<u>109.50</u> square feet
		2,632.50 square feet

ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. John Gelati
Page 2
February 7, 2006

The City's Department of Public Works has no objection to this request. However, they will require a Class 1 survey for recording purposes.

We have taken into account a number of factors in arriving at the fair market value for the requested easements. In particular, the petitioner will gain use of the public right-of-way and a city sidewalk to further enhance the commercial viability of its property.

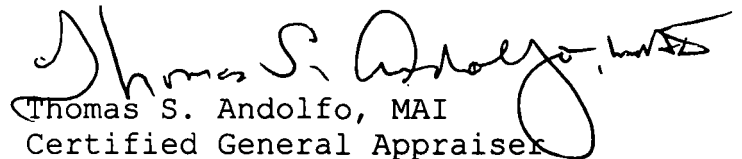
Based on an analysis of comparable sales as contained within the office files of Andolfo Appraisal Associates, Inc., a value of \$60.00 per square foot is hereby estimated for this area. However, this value must be reduced by 75% due to the fact that the City is not giving up its full fee simple interest in the property, as it is only allowing easements in only a portion of it.

Therefore, $2,632.50 \text{ square feet} \times \$60.00 \text{ per square foot} = \$157,950$
 $\times .25 = \$39,488.$

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.

William G Floriani
Certified Residential Appraiser


Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad

Enclosure



ANDOLFO APPRAISAL ASSOCIATES, INC.

REAL ESTATE APPRAISERS AND CONSULTANTS
THE BUSH BUILDING
216 WEYBOSSET STREET • PROVIDENCE • RHODE ISLAND 02903
(401) 273-8989 • FAX (401) 273-2510

February 7, 2006

Mr. John Gelati
Tax Assessor
City of Providence
City Hall
Providence, Rhode Island 02903

Re: Proposed Sidewalk and Street Easements
Cushing Street, Providence
Easements 6 through 15

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on Cushing Street, Providence, otherwise designated as Assessor's Plat 13, Lots 17, 18, 40, 19, 292, and 25. The purpose of this inspection was to estimate the fair market value of the proposed sidewalk and street taking for the purpose of granting permanent utility easements as requested by Brown University. In total, the proposed easements will contain 3,386.10 square feet and they will also be used for utility support systems as well. The subject area is located in the East Side neighborhood of the city where the zoning is R-3.

Specifically, the proposed easement runs along the sidewalk on Cushing Street. The easements vary in width and depth according to a map supplied by SEA Consultants, Inc., and they are listed as follows:

Easement #6	- 5 feet wide x 52.5 feet long	=	262.50 square feet
Easement #7	- 5 feet wide x 5.5 feet long	=	27.50 square feet
Easement #8	- 5 feet wide x 7.3 feet long	=	36.50 square feet
Easement #9	- 12 feet wide x 12 feet long	=	144.00 square feet
Easement #10	- 5 feet wide x 7.3 feet long	=	36.50 square feet
Easement #11	- 5 feet wide x 5.5 feet long	=	27.50 square feet
Easement #12	- 17.2 feet wide x 20 feet long	=	344.00 square feet
Easement #13	- 5 feet wide x 461.5 feet long	=	2,307.50 square feet
Easement #14	- 5.4 feet wide x 17.4 feet long	=	94.50 square feet
Easement #15	- 5.5 feet wide x 19.2 feet long	=	<u>105.60</u> square feet
			3,386.10 square feet

ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. John Gelati
Page 2
February 731, 2006

The City's Department of Public Works has no objection to this request. However, they will require a Class 1 survey for recording purposes.

We have taken into account a number of factors in arriving at the fair market value for the requested easements. In particular, the petitioner will gain use of the public right-of-way and a city sidewalk to further enhance the commercial viability of its property.

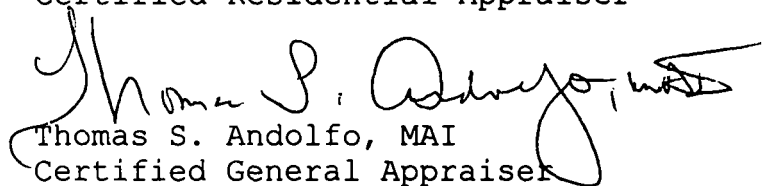
Based on an analysis of comparable sales as contained within the office files of Andolfo Appraisal Associates, Inc., a value of \$60.00 per square foot is hereby estimated for this area. However, this value must be reduced by 75% due to the fact that the City is not giving up its full fee simple interest in the property, as it is only allowing an easement in a portion of it.

Therefore, $3,386.10 \text{ square feet} \times \$60.00 \text{ per square foot} = \$203,166$
 $\times .25 = \$50,792.$

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.

William G Floriani
Certified Residential Appraiser


Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad



ANDOLFO APPRAISAL ASSOCIATES, INC.

**REAL ESTATE APPRAISERS AND CONSULTANTS
THE BUSH BUILDING
216 WEYBOSSET STREET • PROVIDENCE • RHODE ISLAND 02903
(401) 273-8989 • FAX (401) 273-2510**

February 7, 2006

Mr. John Gelati
Tax Assessor
City of Providence
City Hall
Providence, Rhode Island 02903

Re: Proposed Sidewalk and Street Easements
Thayer Street, Providence
Easement 16

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on Thayer Street, Providence, otherwise designated as Assessor's Plat 13, Lots 111, 92, 119, and 17. The purpose of this inspection was to estimate the fair market value of the proposed sidewalk and street taking for the purpose of granting a permanent utility easement as requested by Brown University. In total, the proposed easement will contain 391.50 square feet; it will be used for utility support systems as well. The subject area is located in the East Side neighborhood of the city where the zoning is C-2.

Specifically, the proposed easement runs along the sidewalk on Thayer Street. According to a map supplied by SEA Consultants, Inc., the easement's dimensions are:

Easement #16 - 5 feet wide x 78.3 feet long = 391.50 square feet.

The City's Department of Public Works has no objection to this request. However, they will require a Class 1 survey for recording purposes.

ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. John Gelati
Page 2
February 7, 2006

We have taken into account a number of factors in arriving at the fair market value for the requested easements. In particular, the petitioner will gain use of the public right-of-way and a city sidewalk to further enhance the commercial viability of its property.

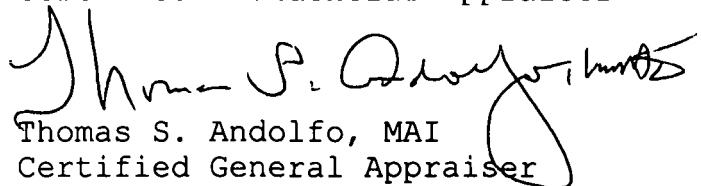
Based on an analysis of comparable sales as contained within the office files of Andolfo Appraisal Associates, Inc., a value of \$75.00 per square foot is hereby estimated for this area. However, this value must be reduced by 75% due to the fact that the City is not giving up its full fee simple interest in the property, as it is only allowing an easement in a portion of it.

Therefore, $391.50 \text{ square feet} \times \$75.00 \text{ per square foot} = \$29,363$
 $\times .25 = \$7,341.$

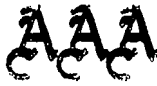
Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.

William G Floriani
Certified Residential Appraiser


Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad



ANDOLFO APPRAISAL ASSOCIATES, INC.

REAL ESTATE APPRAISERS AND CONSULTANTS
THE BUSH BUILDING

216 WEYBOSSET STREET • PROVIDENCE • RHODE ISLAND 02903
(401) 273-8989 • FAX (401) 273-2510

February 7, 2006

Mr. John Gelati
Tax Assessor
City of Providence
City Hall
Providence, Rhode Island 02903

Re: Proposed Sidewalk and Street Easements
Meeting Street, Providence
Easements 17 through 21

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on Meeting Street, Providence, otherwise designated as Assessor's Plat 10, Lots 296, 704, 353, and 649. The purpose of this inspection was to estimate the fair market value of the proposed sidewalk and street taking for the purpose of granting permanent utility easements as requested by Brown University. In total, the proposed easements will contain 985.70 square feet and they will also be used for utility support systems as well. The subject area is located in the East Side neighborhood of the city where the zoning is R-3.

Specifically, the proposed easements run along the sidewalk on Meeting Street. The easements vary in width and depth according to a map supplied by SEA Consultants, Inc., and they are listed and rounded as follows:

Easement #17	- 3.5 feet wide x 26.2 feet long	= 91.70 square feet
Easement #18	- 5.8 feet wide x 20.6 feet long	= 119.50 square feet
Easement #19	- 2.4 feet wide x 219.4 feet long	= 526.50 square feet
Easement #20	- 6.5 feet wide x 18.4 feet long	= 119.60 square feet
Easement #21	- 3.3 feet wide x 38.9 feet long	= <u>128.40</u> square feet
		985.70 square feet total

ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. John Gelati
Page 2
February 7, 2006

The City's Department of Public Works has no objection to this request. However, they will require a Class 1 survey for recording purposes.

We have taken into account a number of factors in arriving at the fair market value for the requested easements. In particular, the petitioner will gain use of the public right-of-way and a city sidewalk to further enhance the commercial viability of its property.

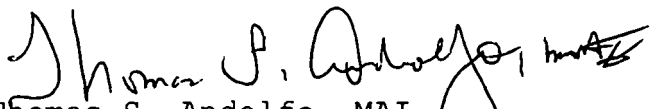
Based on an analysis of comparable sales as contained within the office files of Andolfo Appraisal Associates, Inc., a value of \$60.00 per square foot is hereby estimated for this area. However, this value must be reduced by 75% due to the fact that the City is not giving up its full fee simple interest in the property, as it is only allowing easements in only a portion of it.

Therefore, $985.70 \text{ square feet} \times \$60.00 \text{ per square foot} = \$59,142 \times .25 = \$14,786.$

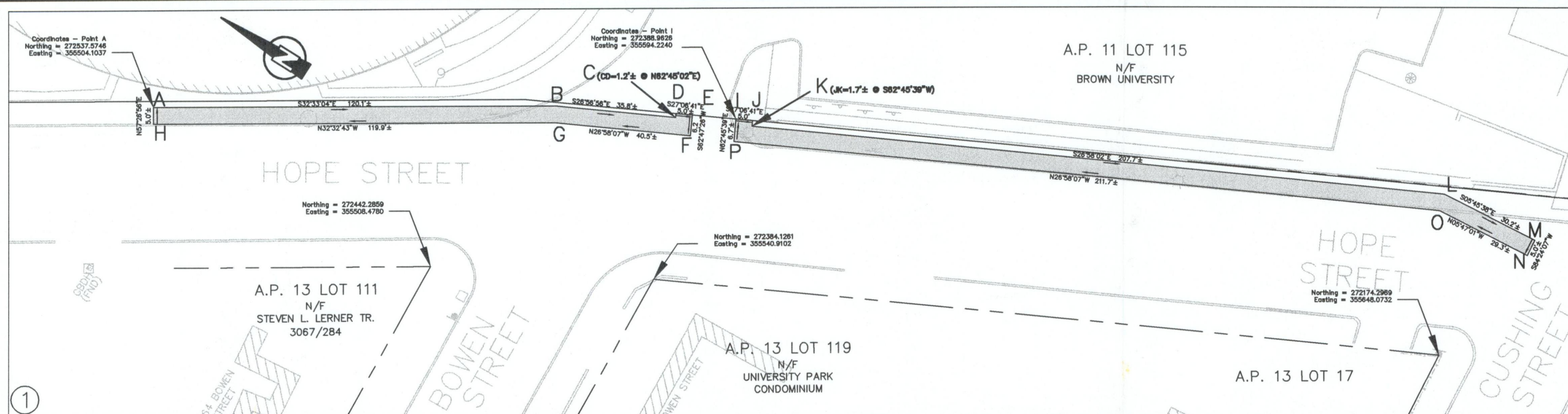
Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.

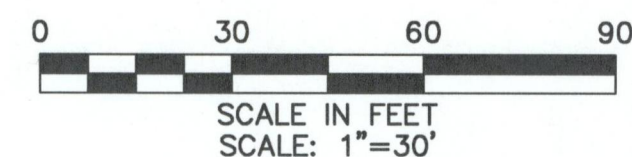
William G Floriani
Certified Residential Appraiser


Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad

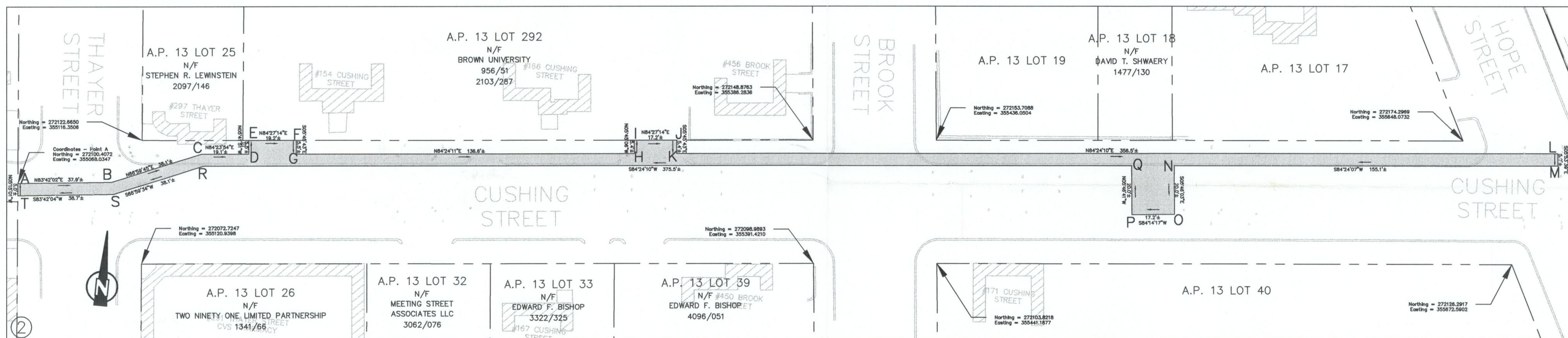


PROVIDENCE, R.I.
P. W. DEPT. & ENGINEERING OFFICE
STREET LINE SECTION
Plan No **064788**
Date **1-19-06**

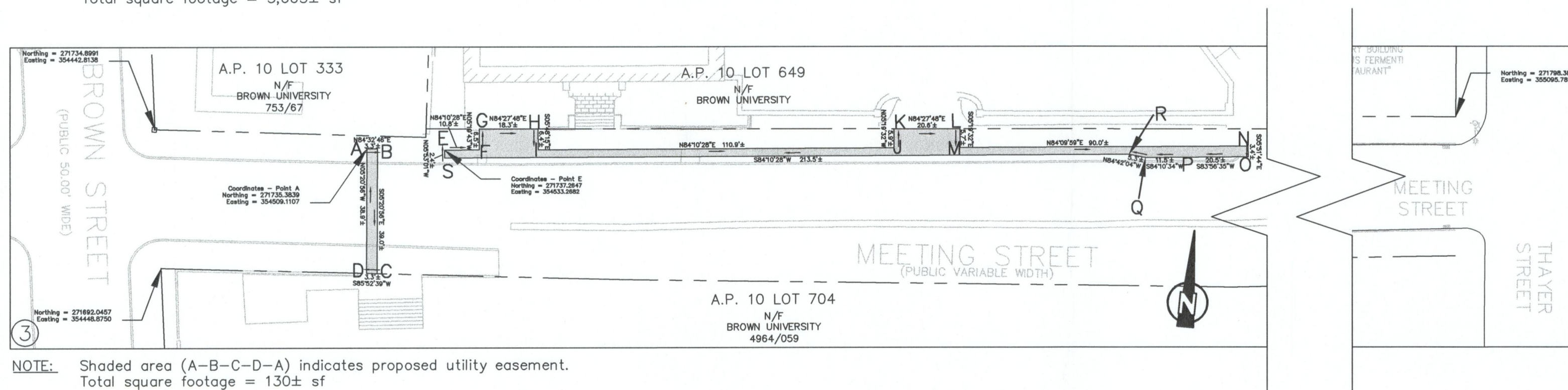


NOTE: Shaded area (A-B-C-D-E-F-G-H-A) indicates proposed utility easement.
Total square footage = 810± sf

Shaded area (I-J-K-L-M-N-O-P-I) indicates proposed utility easement.
Total square footage = 1,220± sf



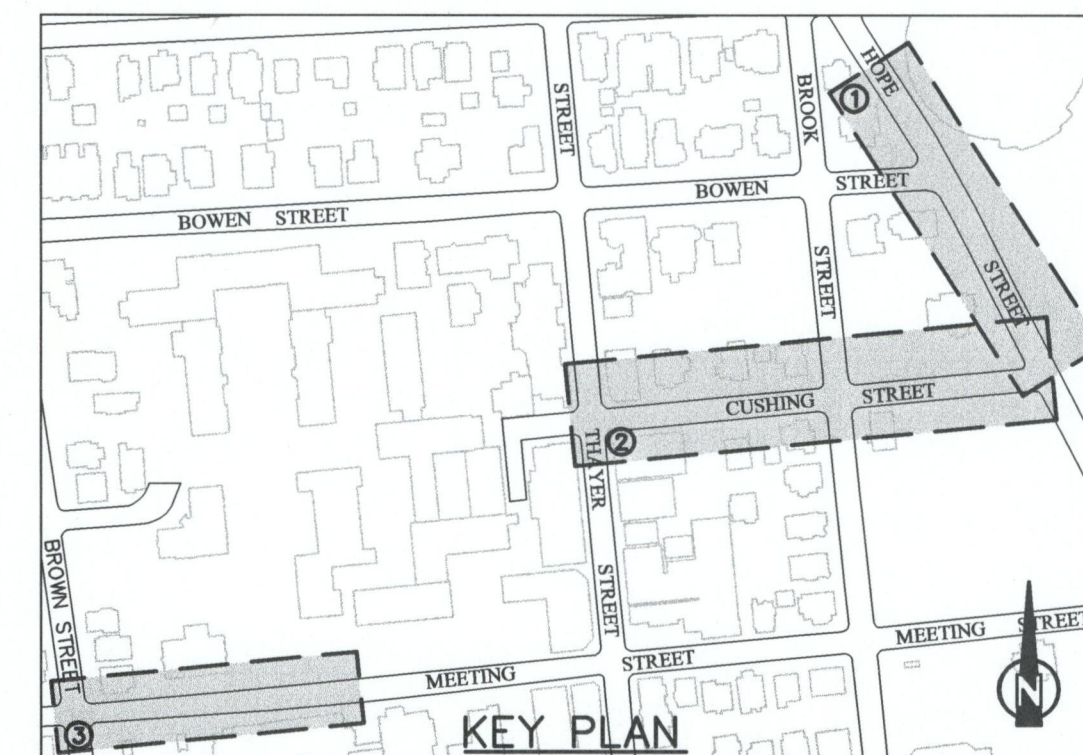
NOTE: Shaded area (A-B-C-D-E-F-G-H-I-J-K-L-M-N-O-P-Q-R-S-T-A) indicates proposed utility easement.
Total square footage = 3,665± sf



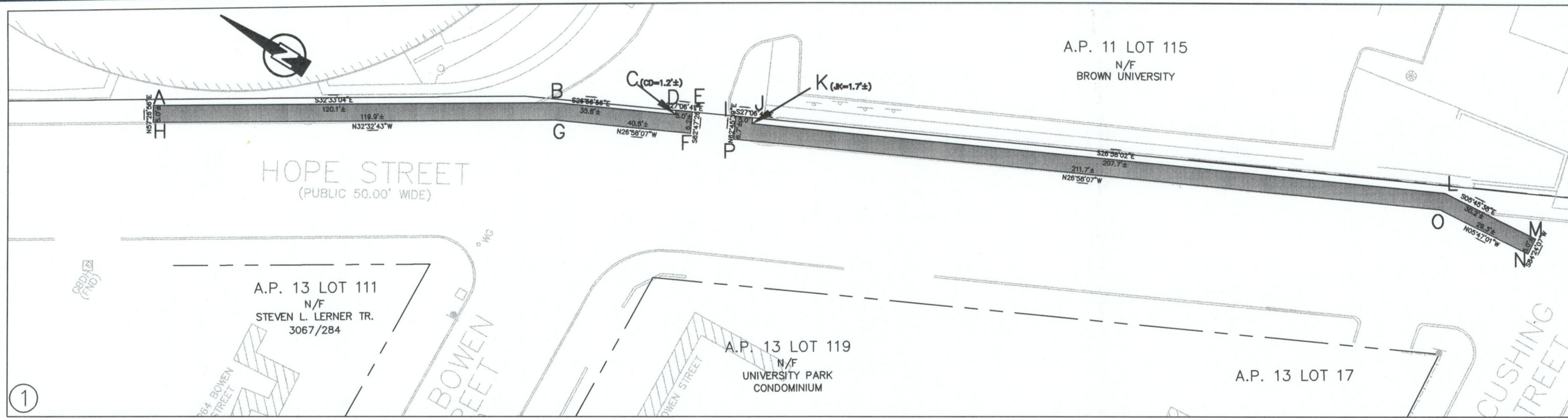
NOTE: Shaded area (A-B-C-D-A) indicates proposed utility easement.
Total square footage = 130± sf

Shaded area (E-F-G-H-I-J-K-L-M-N-O-P-Q-R-S-E) indicates proposed utility easement.
Total square footage = 884± sf

GENERAL NOTE: COORDINATES, BEARINGS AND AZIMUTHS REFER TO NAD 83, RI STATE PLANE



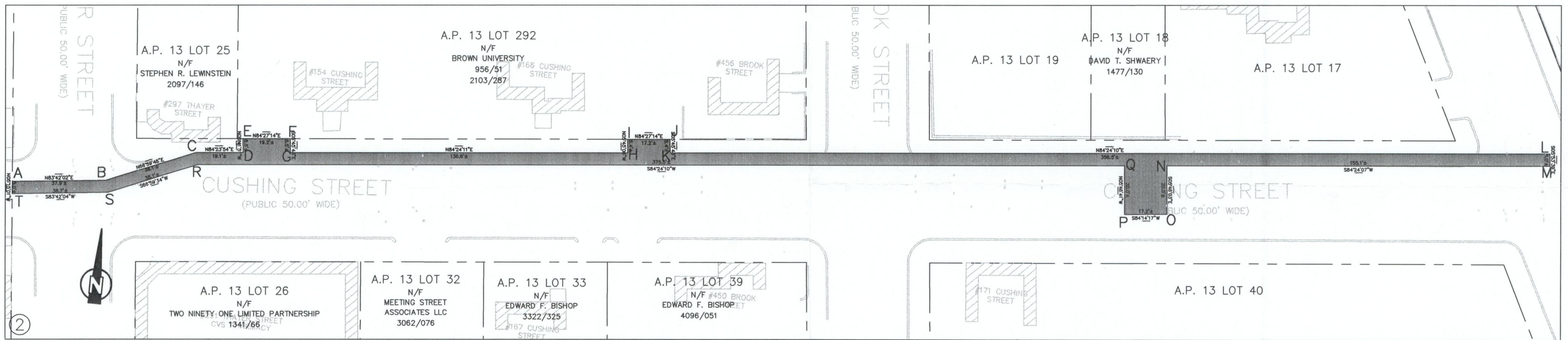
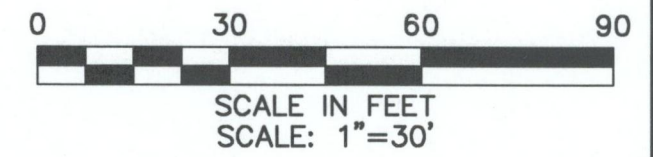
CITY OF PROVIDENCE, R.I.
Public Works Dept. & Engineering Office
Showing **PROPOSED UTILITY EASEMENTS FOR BROWN UNIVERSITY UTILITY UPGRADE PROJECT**
Drawn By **SEA CONSULTANTS** Checked By **A.Z.**
Scale **1"=30'** Date **01-12-06**
Correct Associate Engr.
Approved **William [Signature]** CHIEF ENGINEER



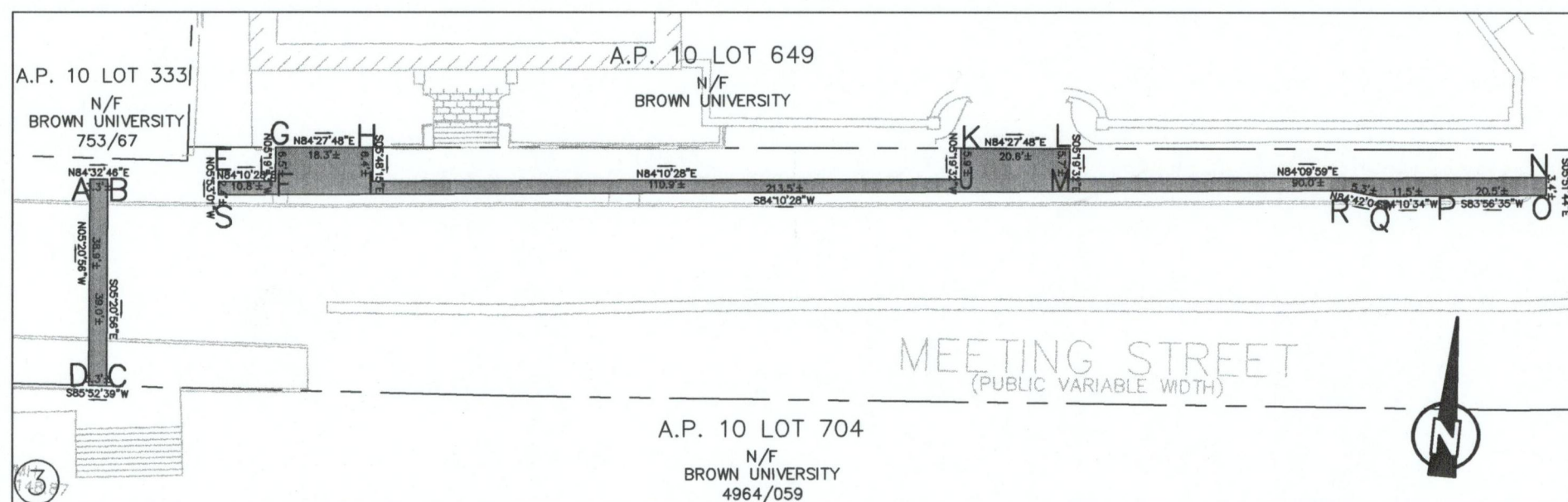
NOTE: Shaded area (A-B-C-D-E-F-G-H-A) indicates proposed utility easement.
Total square footage = 810± sf

Shaded area (I-J-K-L-M-N-O-P-I) indicates proposed utility easement.
Total square footage = 1,220± sf

PROVIDENCE, R.I.
P. W. DEPT. & ENGINEERING OFFICE
STREET LINE SECTION
Plan No _____
Date _____

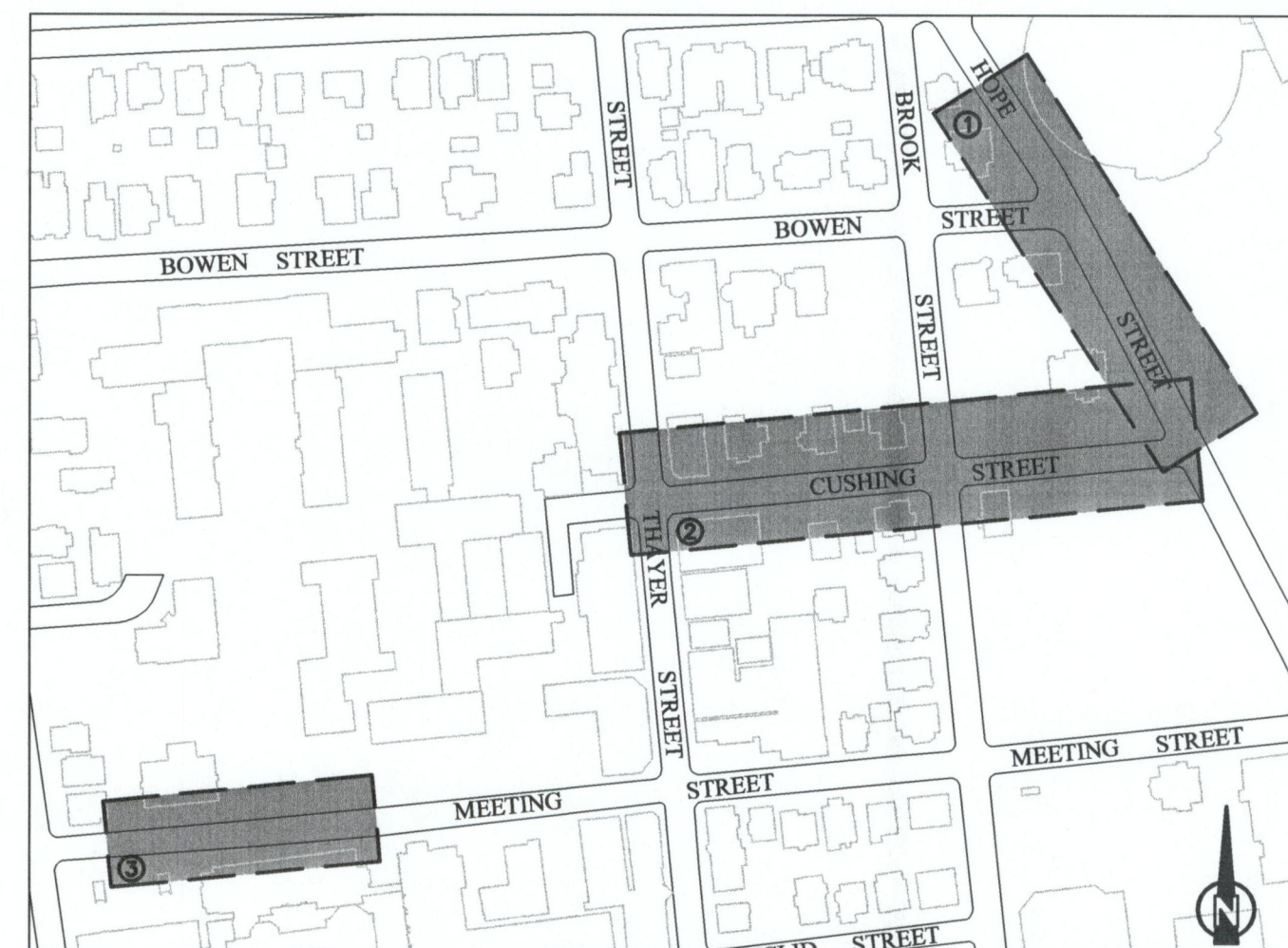


NOTE: Shaded area (A-B-C-D-E-F-G-H-I-J-K-L-M-N-O-P-Q-R-S-T-A) indicates proposed utility easement.
Total square footage = 3665± sf



NOTE: Shaded area (A-B-C-D-A) indicates proposed utility easement.
Total square footage = 130± sf

Shaded area (E-F-G-H-I-J-K-L-M-N-O-P-Q-R-S-E) indicates proposed utility easement.
Total square footage = 884± sf



KEY PLAN

CITY OF PROVIDENCE, R.I.
Public Works Dept. & Engineering Office
Showing PROPOSED UTILITY EASEMENTS FOR BROWN
UNIVERSITY UTILITY UPGRADE PROJECT
Drawn By SEA CONSULTANTS Checked By _____
Scale 1"=30' Date 12-28-05
Correct _____ Associate Engr.
Approved _____ CHIEF ENGINEER

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 161

Approved April 17, 2006

IT IS HEREBY RESOLVED, That His Honor, the Mayor, is authorized to grant five non-exclusive sub-surface easements for Hope St., Cushing St., Thayer St. and Meeting St. in the City of Providence to Brown University ("Brown"). Said easements shall be granted specifically upon the following provisions:

1. Said easements shall not exceed six thousand seven hundred and nine (6,709) square feet, plus or minus, and indicated on accompanying map marked "Providence, R.I. Department of Public Works – Engineering Office, Street Line Section Plan No. 064788 dated January 19, 2006" (Exhibit A). Said easements shall be utilized only for the installation, maintenance, repair and/or replacement of utilities, including without limiting the generality of the foregoing, electric, telephone, cable television, data transmission, fiber optic gas, high temperature hot water, chilled water, and fuel oil piping, and similar utility lines for:

a. Hope Street:

Said easement shall not exceed the shaded area bounded by a line with points (A-B-C-D-E-F-G-H-A) as shown on Exhibit A. Said easement is approximately eight hundred and ten (810) square feet total area.

Said easement shall not exceed the shaded area bounded by a line with points (I-J-K-L-M-N-O-P-I) as shown on Exhibit A. Said easement is approximately one thousand two hundred and twenty (1,220) square feet total area.

b. Cushing and Thayer Street:

Said easement shall not exceed the shaded area bounded by a line with points (A-B-C-D-E-F-G-H-I-J-K-L-M-N-O-P-Q-R-S-T-A) as shown on Exhibit A. Said easement is approximately three thousand six hundred and sixty five (3,665) square feet total area.

c. Meeting Street:

Said easement shall not exceed the shaded area bounded by a line with points (A-B-C-D-A) as shown on Exhibit A. Said easement is approximately one hundred and thirty (130) square feet total area.

Said easement shall not exceed the shaded area bounded by a line with points (E-F-G-H-I-J-K-L-M-N-O-P-Q-R-S-E) as shown on Exhibit A. Said easement is approximately eight hundred and eighty four (884) square feet total area.

2. The above referenced areas, as shown on Exhibit A, are hereinafter collectively referred to as the "Premises". Said easements shall be deemed to run with the land and shall be binding on and for the benefit of any successors in title and the easements or a memorandum of same shall be recorded in the Office of Land Records for the City of Providence.

3. Said easements shall be subject to a right of reverter/right of reversion in the event that the easements are no longer utilized for a period of ten (10) years for the aforementioned purposes.

4. As consideration for these Easements, Brown shall tender the sum of one hundred twelve thousand, four hundred seven dollars (\$112,407.00) in legal tender of the United States of America.

5. Any breakout necessary for installation and/or repair or replacement shall be resurfaced/rehabilitated in accordance with relevant ordinances and industry standards and to the reasonable satisfaction of the Director of the Department of Public Works.

6. The installation of utilities or utility lines shall be underground so as to preserve the public right-of-way. Brown and its successors and assigns may enter upon said Premises, to dig or excavate the soil in said Premises, to clear the Premises of vegetation and any natural manmade structures for both access and safety purposes and to do any other acts which are necessary to carry out the purposes for which said Easements are given and to provide for the effective use thereof.

7. Any installation of electrical mechanisms shall be subject to the approval of the Director of the Department of Inspections & Standards.

8. Petitioner shall ascertain that construction results in no adverse impact on any existing utility company and shall ensure the continued integrity of those existing structures.

9. Brown shall execute an indemnification and hold-harmless agreement with the City of Providence. Said agreement shall be approved by the Department of Law of the City of Providence.

10. Brown shall supply the City of Providence with an insurance policy naming said City of Providence, its agents, officers, servants and employees as additional-named insureds in a sum not less than one hundred thousand dollars (\$100,000.00) which policy shall be approved by the Department of Law of the City of Providence.

11. Brown shall not lay, construct or affix to the realty any temporary or permanent structure other than that described earlier herein.

12. Brown recognizes the applicability of Sections 23-107, 23-108 and 23-190 of the Code of Ordinances which read as follows:

23-107. Indemnity of city against claims arising out of electrical installations. No right of any person to maintain, use or operate any poles, wires, cables, conduits, ducts, pipes, manholes, handholes, or other appliances or appurtenances in any street or other traveled way in the city, shall be in preference or hindrance of public work in the city, and should any of the same in any way interfere with the construction, alteration or repair of any public work in any such street or way, whether done by the city directly or by any contractor for the city, such person shall at his own expense protect, alter or move any of the same so interfering to some other location in such street or way, or discontinue the use and operation thereof for the time being, as directed by the director of public works, without the city being liable for any damages suffered by such person thereby. The City shall notify such person a reasonable time in advance of any public work, which will interfere with any of the same or the use or operation thereof. In case such person shall fail to comply with any such direction of said director, the city may protect, alter or move the same, and recover the cost thereof from such person.

23-108. Precedence of wires, apparatus of city signal service. The wires, poles, posts, structures and supports of the telephone, fire alarm and police signal service maintained by the city shall at all times take precedence and right-of-way as to all other wires, poles, posts, structures and supports maintained or erected in the city; and no lineman or other person, either in erecting wires, poles, posts, structures or supports in any way whatsoever shall interfere with, or disturb, disarrange or change any wires maintained by the city, or any appurtenance thereof; and in every instance of removal of any of said wires, poles, posts, structures or supports for the accommodation of any other corporation or party, or to place the same beyond danger from the electric current of any other corporation or party, the expense incident to said removal shall be paid immediately by such other corporation or party.

23-109. Indemnity of city against claims arising out of electrical installation.

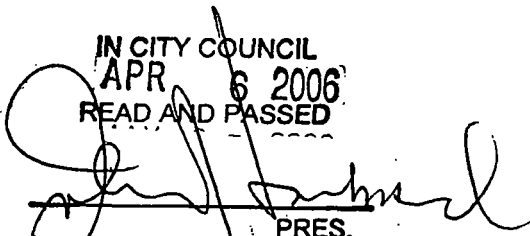

Every person erecting, maintaining or using electric wires or poles, fixture or structures, for the support or conducting of the same shall indemnify and save harmless the city, its officers, agents and servants, from and against all lawful claims and demands for injuries to persons or property occasioned by the existence of such poles, wires, fixtures or structures or the transmission of electric current by means thereof or by the digging up, opening or keeping open of any street, highway, traveled way, public place or part thereof, which shall be or has been opened for the purpose of installing, constructing or repairing any underground conduit, duct, structure, appliance or appurtenance by or for such person, or by any failure of such person to restore and keep in sound and safe condition for the required time any ground opened or dug up in the prosecution of any of its work in any street, way or place. The city, city council, or the officers, agents or servants of the city, exercising the rights, powers or permission, and subject to the restrictions, respectively given and reserved herein shall not be held liable by such person or corporation on account thereof, or by reason of any injury or damage caused thereby.

and Brown, for itself and its successors, agrees to comply with the same.


13. In addition to Paragraph 12 above, in the event that the City of Providence or its designee shall, for any public purpose, require the extinguishment of the easements granted herein and upon the reasonable notification hereinbefore mentioned, Brown shall remove said improvements to the easement areas, provided, however, that because Brown has paid consideration for said Easements, Brown shall be entitled to just compensation for any such taking for public purposes.

14. The easements shall be executed, delivered and accepted upon the express terms, covenants and conditions contained herein, which terms, covenants and conditions shall be binding upon and insure to the benefit of the parties hereto and their successors, heirs, legal representatives, and assigns. The easements are intended to be governed by and construed in accordance with the laws of the State of Rhode Island. The easements may not be amended or modified except pursuant to a written instrument signed by all parties thereto.

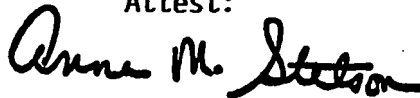
15. Such other terms and conditions as may be reflected in the record and minutes of the City Council Committee on Public Works and/or as may be deemed appropriate by the Mayor or the Department of Law.

IN CITY COUNCIL
APR 6 2006
READ AND PASSED

PRES.

CLERK

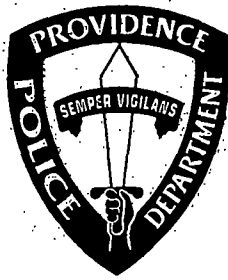
APPROVED


MAYOR

A true copy,
Attest:



Anna M. Stetson
City Clerk



Department of Public Safety, Police Department
"Building Pride in Providence"

December 8, 2005

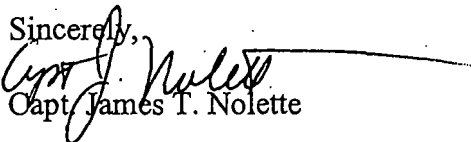
To: Anna Stetson, Second Deputy City Clerk

From: Capt. James Nolette, Providence Police Dept.

Dear Anna:

The Police Dept. has no objections to the proposed granting of easements as requested by Brown University. The utility easements on Hope, Cushing, Thayer and Meeting will not cause undue hardship on the movement of traffic both foot and vehicle.

Sincerely,


Capt. James T. Nolette

George S. Farrell
Fire Marshal

George D. Calise
Deputy Fire Marshal



David N. Cicilline
Mayor

David D. Costa
Chief of Department

Providence Fire Prevention Division
"Smoke Detectors Save Lives"

December 7, 2005

Ms. Anna M. Stetson, Second Deputy City Clerk
Providence City Hall, Department of City Clerk
25 Dorrance Street
Providence, Rhode Island 02903

Re: Brown University Proposed Easements for HTHW Utility Systems

Dear Ms. Stetson

The Providence Fire Department does not object to the creation of the proposed easements requested by Brown University for the easements requested on Hope Street, Cushing Street, Thayer Street and Meeting Street for the location of underground HTHW utilities.

There are no fire department or fire safety issues that this relocation plan would conflict with.

If you need any further information, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony DiGiulio", is written over the typed name.

Captain Anthony DiGiulio,
Assistant Deputy State Fire Marshal
Providence Fire Prevention

Cc: Marshal George S. Farrell

JOHN D. NICKELSON, PE
Director



DAVID N. CICILLINE
Mayor

Department of Public Works
"Building Pride in Providence"

January, 19, 2006

Honorable Terrence N. Hassett
Chairman of the Public Works Committee
Providence City Council-City Hall
Providence, R.I. 02903

RE: Proposed Easements for Hope St., Cushing St., Thayer St. and Meeting St. for Brown University Utility Upgrade Project.

Dear Councilman Hassett:

This department has no objection to the proposed easements of the Brown University Utility Upgrade Project in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept-Engineering Office, Street Line Section, Plan No. 064788. Areas and limits of the project are designated on the accompanying plan and defined on the petition to the City Council.

See accompanying plan for plat and lot numbers.

If we can further assist you in this regard, please advise.

Very truly yours,

A handwritten signature in cursive script, reading "John D. Nickelson".

John D. Nickelson, PE
Director

cc: M. Clement-City Clerk
BB, FR, AZ-DPW
A. Southgate, Esq.- Law Dept.
T. Deller- Planning
J. Gelati- Tax Assessors



Department of Planning and Development

DAVID N. CICILLINE
Mayor

December 29, 2005

Honorable Terrence M. Hassett, Chair
Committee on Public Works
City Hall
Providence, RI 02903

Attn: Anna Stetson, Second Deputy City Clerk

RE: Petition from Courtney J. McCracken, Project Manager, Brown University Department of Facilities Management, requesting easements for "Brown University, HTHW Utility Systems Upgrade, Proposed Utility Easements" on Hope Street, Cushing Street, Thayer Street and Meeting Street due to the proposed construction of new high temperature hot water and chilled water utilities."

Dear Councilman Hassett:

This letter is a response to the Committee on Public Works' request for the Department of Planning and Development's recommendation for the above-referenced petition. The petitioner has stated that the utility easement is necessary to provide upgraded hot and chilled water utilities for Brown University facilities.

Staff of the Department of Planning and Development has reviewed the proposed site plans and has no objection to the proposed work. Staff recommends that the Committee on Public Works approve the utility easement.

Sincerely,

A handwritten signature in black ink, appearing to read "David Everett".

David Everett
Principal Planner

AAA
CCC

ANDOLFO APPRAISAL ASSOCIATES, INC.

REAL ESTATE APPRAISERS AND CONSULTANTS

THE BUSH BUILDING

216 WEYBOSSET STREET • PROVIDENCE • RHODE ISLAND 02903

(401) 273-8989 • FAX (401) 273-2510

February 7, 2006

Mr. John Gelati
Tax Assessor
City of Providence
City Hall
Providence, Rhode Island 02903

Re: Proposed Sidewalk and Street Easements
Hope Street, Providence
Easements 1 through 5

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on Hope Street, Providence, otherwise designated as Assessor's Plat 13, Lots 111, 92, 119, and 17. The purpose of this inspection was to estimate the fair market value of the proposed sidewalk and street taking for the purpose of granting permanent utility easements as requested by Brown University. In total, the proposed easements will contain 2,632.50 square feet and they will also be used for utility support systems as well. The subject area is located in the East Side neighborhood of the city where the zoning is R-3.

Specifically, the proposed easements runs along the sidewalk on Hope Street. The easements vary in width and depth according to a map supplied by SEA Consultants, Inc., and they are listed as follows:

Easement #1 - 5 feet wide x 120 feet long	=	600.00 square feet
Easement #2 - 5 feet wide x 38.3 feet long	=	191.50 square feet
Easement #3 - 20.2 feet wide x 32.5 feet long	=	656.50 square feet
Easement #4 - 5 feet wide x 215 feet long	=	1,075.00 square feet
Easement #5 - 5 feet wide x 21.9 feet long	=	109.50 square feet
		2,632.50 square feet

ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. John Gelati
Page 2
February 7, 2006

The City's Department of Public Works has no objection to this request. However, they will require a Class 1 survey for recording purposes.

We have taken into account a number of factors in arriving at the fair market value for the requested easements. In particular, the petitioner will gain use of the public right-of-way and a city sidewalk to further enhance the commercial viability of its property.

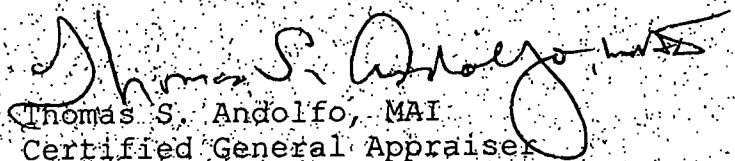
Based on an analysis of comparable sales as contained within the office files of Andolfo Appraisal Associates, Inc., a value of \$60.00 per square foot is hereby estimated for this area. However, this value must be reduced by 75% due to the fact that the City is not giving up its full fee simple interest in the property, as it is only allowing easements in only a portion of it.

Therefore, $2,632.50 \text{ square feet} \times \$60.00 \text{ per square foot} = \$157,950$
 $\times .25 = \$39,488.$

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.

William G. Floriani
Certified Residential Appraiser


Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad

Enclosure

AAA
CCC

ANDOLFO APPRAISAL ASSOCIATES, INC.

REAL ESTATE APPRAISERS AND CONSULTANTS
THE BUSH BUILDING

216 WEYBOSSET STREET • PROVIDENCE • RHODE ISLAND 02903
(401) 273-8989 • FAX (401) 273-2510

February 7, 2006

Mr. John Gelati
Tax Assessor,
City of Providence
City Hall
Providence, Rhode Island 02903

Re: Proposed Sidewalk and Street Easements
Cushing Street, Providence
Easements 6 through 15

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on Cushing Street, Providence, otherwise designated as Assessor's Plat 13, Lots 17, 18, 40, 19, 292, and 25. The purpose of this inspection was to estimate the fair market value of the proposed sidewalk and street taking for the purpose of granting permanent utility easements as requested by Brown University. In total, the proposed easements will contain 3,386.10 square feet and they will also be used for utility support systems as well. The subject area is located in the East Side neighborhood of the city where the zoning is R-3.

Specifically, the proposed easement runs along the sidewalk on Cushing Street. The easements vary in width and depth according to a map supplied by SEA Consultants, Inc., and they are listed as follows:

Easement #6	- 5 feet wide x 52.5 feet long	=	262.50 square feet
Easement #7	- 5 feet wide x 5.5 feet long	=	27.50 square feet
Easement #8	- 5 feet wide x 7.3 feet long	=	36.50 square feet
Easement #9	- 12 feet wide x 12 feet long	=	144.00 square feet
Easement #10	- 5 feet wide x 7.3 feet long	=	36.50 square feet
Easement #11	- 5 feet wide x 5.5 feet long	=	27.50 square feet
Easement #12	- 17.2 feet wide x 20 feet long	=	344.00 square feet
Easement #13	- 5 feet wide x 461.5 feet long	=	2,307.50 square feet
Easement #14	- 5.4 feet wide x 17.4 feet long	=	94.50 square feet
Easement #15	- 5.5 feet wide x 19.2 feet long	=	105.60 square feet
			<u>3,386.10 square feet</u>

ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. John Gelati
Page 2
February 731, 2006

The City's Department of Public Works has no objection to this request. However, they will require a Class 1 survey for recording purposes.

We have taken into account a number of factors in arriving at the fair market value for the requested easements. In particular, the petitioner will gain use of the public right-of-way and a city sidewalk to further enhance the commercial viability of its property.

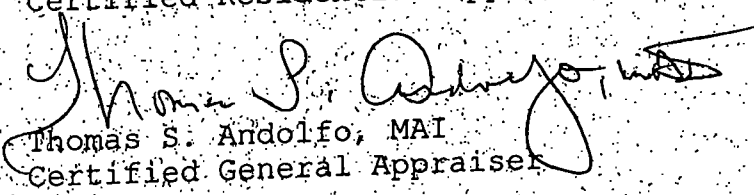
Based on an analysis of comparable sales as contained within the office files of Andolfo Appraisal Associates, Inc., a value of \$60.00 per square foot is hereby estimated for this area. However, this value must be reduced by 75% due to the fact that the City is not giving up its full fee simple interest in the property, as it is only allowing an easement in a portion of it.

Therefore, $3,386.10 \text{ square feet} \times \$60.00 \text{ per square foot} = \$203,166$
 $\times .25 = \$50,792.$

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.

William G. Floriani
Certified Residential Appraiser


Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad



ANDOLFO APPRAISAL ASSOCIATES, INC.

REAL ESTATE APPRAISERS AND CONSULTANTS
THE BUSH BUILDING
216 WEYBOSSET STREET • PROVIDENCE • RHODE ISLAND 02903
(401) 273-8989 • FAX (401) 273-2510

February 7, 2006

Mr. John Gelati
Tax Assessor
City of Providence
City Hall
Providence, Rhode Island 02903

Re: Proposed Sidewalk and Street Easements
Thayer Street, Providence
Easement 16

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on Thayer Street, Providence, otherwise designated as Assessor's Plat 13, Lots 111, 92, 119, and 17. The purpose of this inspection was to estimate the fair market value of the proposed sidewalk and street taking for the purpose of granting a permanent utility easement as requested by Brown University. In total, the proposed easement will contain 391.50 square feet; it will be used for utility support systems as well. The subject area is located in the East Side neighborhood of the city where the zoning is C-2.

Specifically, the proposed easement runs along the sidewalk on Thayer Street. According to a map supplied by SEA Consultants, Inc., the easement's dimensions are:

Easement #16 - 5 feet wide x 78.3 feet long = 391.50 square feet.

The City's Department of Public Works has no objection to this request. However, they will require a Class 1 survey for recording purposes.

ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. John Gelati
Page 2
February 7, 2006

We have taken into account a number of factors in arriving at the fair market value for the requested easements. In particular, the petitioner will gain use of the public right-of-way and a city sidewalk to further enhance the commercial viability of its property.

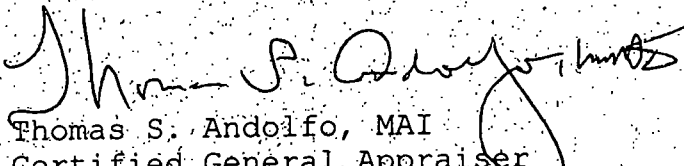
Based on an analysis of comparable sales as contained within the office files of Andolfo Appraisal Associates, Inc., a value of \$75.00 per square foot is hereby estimated for this area. However, this value must be reduced by 75% due to the fact that the City is not giving up its full fee simple interest in the property, as it is only allowing an easement in a portion of it.

Therefore, $391.50 \text{ square feet} \times \$75.00 \text{ per square foot} = \$29,363 \times .25 = \$7,341.$

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.

William G Floriani
Certified Residential Appraiser


Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad



ANDOLFO APPRAISAL ASSOCIATES, INC.

REAL ESTATE APPRAISERS AND CONSULTANTS
THE BUSH BUILDING
216 WEYBOSSET STREET • PROVIDENCE • RHODE ISLAND 02903
(401) 273-8989 • FAX (401) 273-2510

February 7, - 2006

Mr. John Gelati
Tax Assessor
City of Providence
City Hall
Providence, Rhode Island 02903

Re: Proposed Sidewalk and Street Easements
Meeting Street, Providence
Easements 17 through 21

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on Meeting Street, Providence, otherwise designated as Assessor's Plat 10, Lots 296, 704, 353, and 649. The purpose of this inspection was to estimate the fair market value of the proposed sidewalk and street taking for the purpose of granting permanent utility easements as requested by Brown University. In total, the proposed easements will contain 985.70 square feet and they will also be used for utility support systems as well. The subject area is located in the East Side neighborhood of the city where the zoning is R-3.

Specifically, the proposed easements run along the sidewalk on Meeting Street. The easements vary in width and depth according to a map supplied by SEA Consultants, Inc., and they are listed and rounded as follows:

Easement #17	-	3.5 feet wide x 26.2 feet long	=	91.70 square feet
Easement #18	-	5.8 feet wide x 20.6 feet long	=	119.50 square feet
Easement #19	-	2.4 feet wide x 219.4 feet long	=	526.50 square feet
Easement #20	-	6.5 feet wide x 18.4 feet long	=	119.60 square feet
Easement #21	-	3.3 feet wide x 38.9 feet long	=	<u>128.40</u> square feet
				985.70 square feet total

ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. John Gelati
Page 2
February 7, 2006

The City's Department of Public Works has no objection to this request. However, they will require a Class 1 survey for recording purposes.

We have taken into account a number of factors in arriving at the fair market value for the requested easements. In particular, the petitioner will gain use of the public right-of-way and a city sidewalk to further enhance the commercial viability of its property.

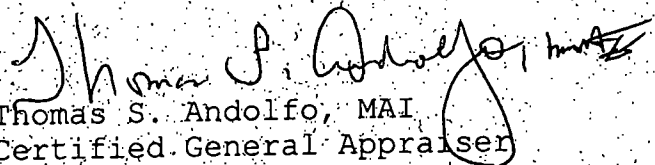
Based on an analysis of comparable sales as contained within the office files of Andolfo Appraisal Associates, Inc., a value of \$60.00 per square foot is hereby estimated for this area. However, this value must be reduced by 75% due to the fact that the City is not giving up its full fee simple interest in the property, as it is only allowing easements in only a portion of it.

Therefore, $985.70 \text{ square feet} \times \$60.00 \text{ per square foot} = \$59,142$
 $\times .25 = \$14,786.$

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.

William G Floriani
Certified Residential Appraiser


Thomas S. Andolfo, MAI
Certified General Appraiser

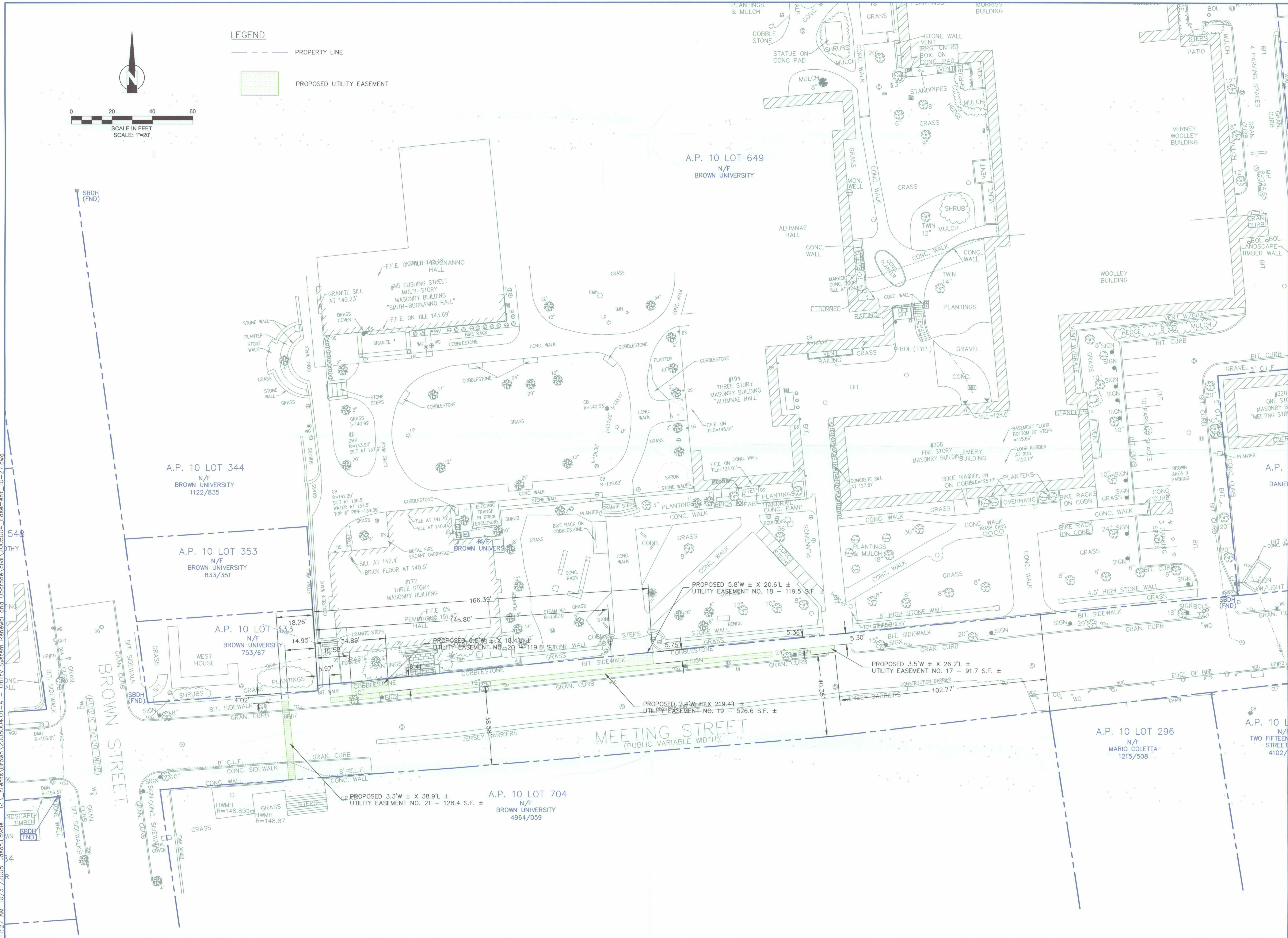
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RECEIVED:

Providence
Received for Record
May 05/2006 at 09:02:10A
Document Num: 00137344
Barbara Troncy
Recorder of Deeds



11:27 AM 10/31/2005 Jaron Laviole G:\clients\Brown\2005004.01-A - Utility System Renewal and Upgrade\Civil\2005004. Easement-10-27.dwg



Client

Project

Drawing

Sheet

BROWN UNIVERSITY

HTHW UTILITY SYSTEM UPGRADE

PROPOSED UTILITY EASEMENTS

MEETING STREET

Scale

1:20

Date

10/31/05

Job No.

2005004.01-A

Designed by

JAL

Drawn by

JAL

Checked by

TJR

Approved by

TJR

Client

Project

Drawing

Sheet

EA-3

SE A Consultants Inc.

Scientists/Engineers/Architects

CONCORD, NEW HAMPSHIRE

ROCKY HILL, CONNECTICUT

CAMBRIDGE, MASSACHUSETTS

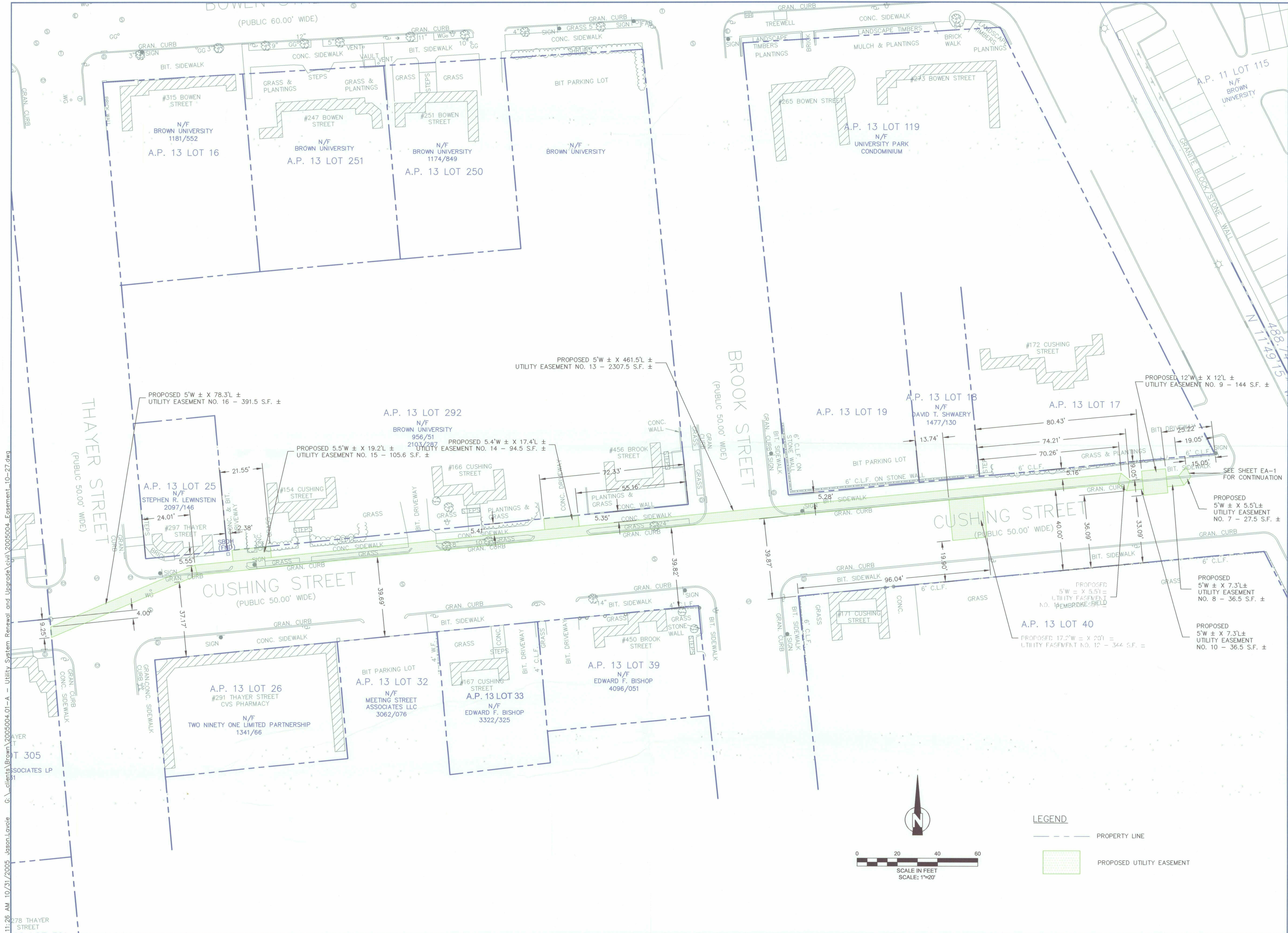
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11:26 AM 10/31/2005 Jason.Lavoie G:\clients\Brown\2005004.01-A - Utility System Renewal and Upgrade\civil\2005004_Easement_10-27.dwg



SEA Consultants Inc.
Scientists/Engineers/Architects

CONCORD, NEW HAMPSHIRE
ROCKY HILL, CONNECTICUT
CAMBRIDGE, MASSACHUSETTS

Client

Project

Drawing

Scale

Date

Job No.

Designed by

Drawn by

Checked by

Approved by

10/31/05

2005004.01-A

JAL

TJR

TJR

BROWN UNIVERSITY

HTHW UTILITY SYSTEM UPGRADE

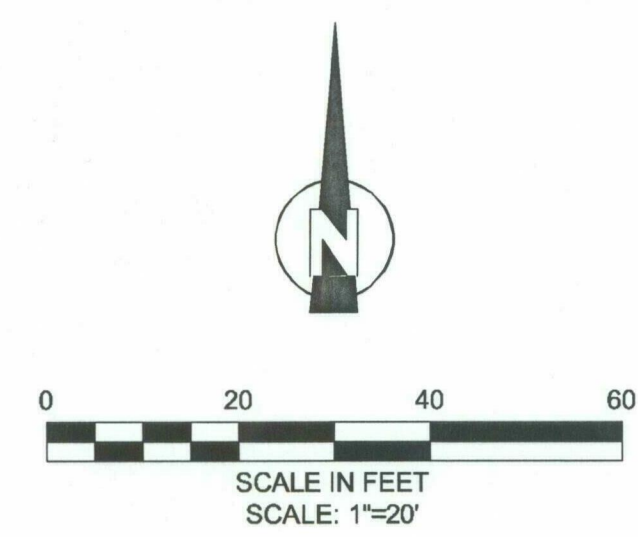
PROPOSED UTILITY EASEMENTS

CUSHING STREET

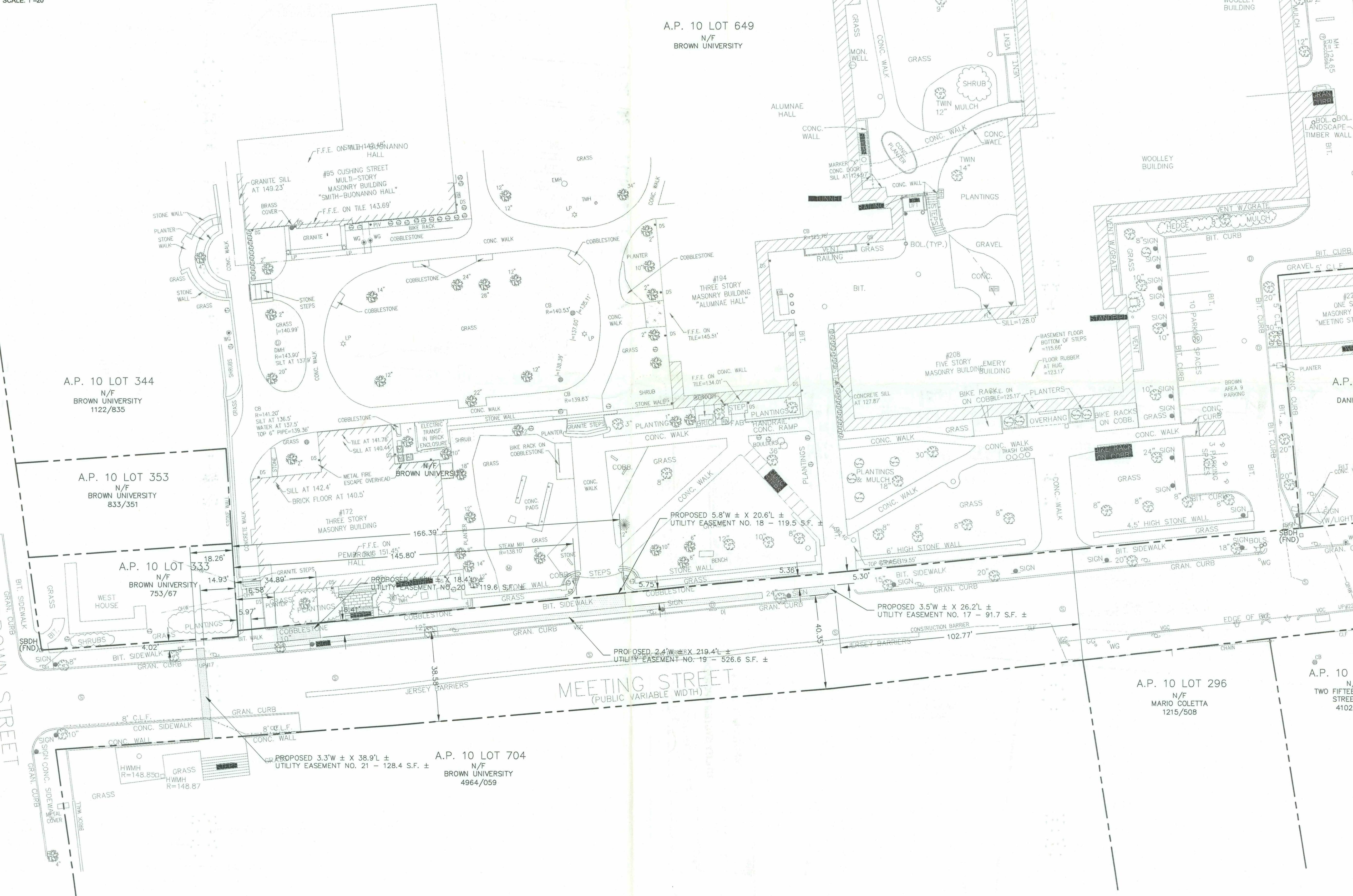
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1	REVISIONS	

EA-2

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LEGEND
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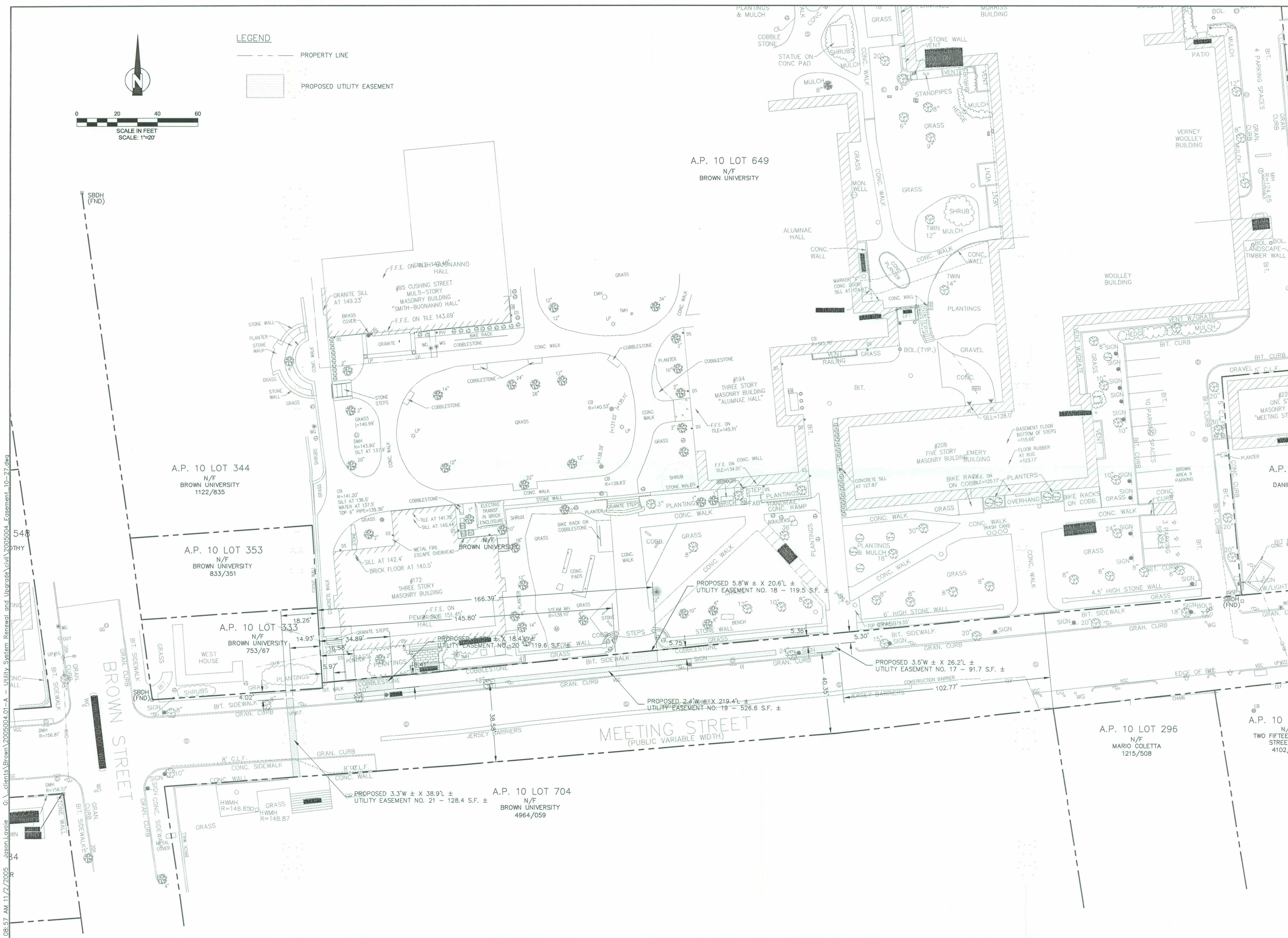


S E A Consultants Inc.
Scientists/Engineers/Architects
CONCORD, NEW HAMPSHIRE
ROCKY HILL, CONNECTICUT
CAMBRIDGE, MASSACHUSETTS

PROPOSED UTILITY EASEMENTS			
Client	Project	Sheet	Date
BROWN UNIVERSITY	UTILITY SYSTEM UPGRADE	EA-3	10/31/05
DESIGNED BY: JAL			
DRAWN BY: JAL			
CHECKED BY: TUR			
APPROVED BY: TUR			

REVISIONS	
No.	Description
1	10/31/05
2	10/31/05
3	10/31/05
4	10/31/05

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S E A Consultants Inc.
Scientists/Engineers/Architects
CONCORD, NEW HAMPSHIRE
ROCKY HILL, CONNECTICUT
CAMBRIDGE, MASSACHUSETTS

REVISIONS			
Date	Description	No.	By
10/31/05	UTILITY SYSTEM UPGRADE	1	JAL
10/31/05	PROPOSED UTILITY EASEMENTS	2	JAL
10/31/05	MEETING STREET	3	JAL

Client: BROWN UNIVERSITY

Project: UTILITY SYSTEM UPGRADE

Drawing: PROPOSED UTILITY EASEMENTS

Sheet: MEETING STREET

EA-3